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WESTOVER.

STILL AN ATTRACTIVE PLACE, AND LARGELY VISITED BY STRANGERS.
(For the history of this famous old place, see Page 11.)

THE American Historical Magazine.

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THE FATHER OF REPRESENTATIVE GOVERNMENT IN AMERICA.

It is not the purpose of this article to set forth any new discovery, nor to present any reflections which are especially startling or original.

The purpose is, to emphasize a neglected fact of American history; a fact attested by ancient records, narrated in historical works, and familiar to historians; yet a fact the full significance of which is not generally recognized.

On the 30th day of July, 1619, the first Legislative Assembly in America convened at Jamestown, Virginia.

This Assembly marked the first victory of popular rights in the Western Hemisphere, and was in some respects, the most remarkable Assembly that ever convened. It was, not only the beacon light of freedom in America, but it, also, exercised an important reflex influence on the constitution of England, and is entitled to be included among the decisive events of history.

The facts connected with this important event have been sketched by Bancroft, Cooke, and other historians, but they have not taken the hold which they deserve upon

the popular heart, and are not treasured, as they should be, in the memory of every American.

The most graphic picture which has been painted of this Assembly and its members will be found in the *Virginia Magazine of History* for July, 1894. In this magazine is given the address delivered before the Virginia Historical Society by Hon. William Wirt Henry, to whose researches I am indebted for many of the facts narrated in this paper, and from whose graphic description, I have obtained permission to quote several extracts.

This Assembly was not so much a victory in itself, as it was the reward or first fruits of a victory already achieved. The battle for representative government in Virginia had been waged since the foundation of the Colony. The battlefield had been transferred from Jamestown to London, and the Council Chamber of the Virginia Company of London was the scene of the conflict. The victory was won, not by the sword, but by peaceful and manly resistance to oppression, and by appeal to justice and reason. Had it been won by force of arms, and lighted up by the glare of war, it would have occupied a more dramatic place in history, and possibly its incidents would have been depicted in more glowing colors on the imagination and memory of posterity, yet its beneficial effects would, perhaps, have been lessened.

This was a victory of peace, and like the victories of peace, was far-reaching and creative in results, rather than resplendent in imagery.

Clearly to understand the contest which culminated in this peaceful victory of liberty, let us glance briefly at the previous condition of the Colony. When Virginia was settled in 1607, the colonists brought with them the civilization, the customs, and the instincts of Englishmen. They claimed, also, by charter, the rights of Englishmen; yet, the most valuable of these rights, the right of self-government, was denied them for twelve years. This right, however, cannot long be withheld from any

people of Anglo-Saxon blood. It was first won by Virginia simply for the reason that Virginia was the first settled colony. It would have been won by Massachusetts, though perhaps in a different form, had Massachusetts been first settled. But the Pilgrims did not land at Plymouth Rock until more than one year after Virginia had won the first battle of freedom in America, and had paved the way for according representative government to the future colonies of England.

As soon as the colonists began to feel that their residence in America was permanent, they began to grow restive under the system of government which placed them under the absolute control of King James I. Finding the Colony a source of annoyance rather than profit, James I. in 1609, issued a second charter, nominally yielding to the requests and petitions of the "Virginia Company of Adventures," the right of self-government.

This charter transferred to the Company the powers which had heretofore been reserved to the King. The colonists hailed this charter as a triumph, and flattered themselves that they had secured self-government. They soon found, however, that the powers of government were intercepted at London, and they had secured only a change of masters.

The Virginia Company of London consisted of a treasurer, who was, *ex-officio*, the presiding officer, and who would be styled in modern organizations, "The President"; a council, who would now be called a "Board of Directors;" and a large number of "*subscribers*," or stockholders. It was this commercial company to which James I. granted the power to control America.

It is needless to recite that the colonists grew more and more dissatisfied with a system by which laws for their government were made without their knowledge or consent, and were administered by a governor, a council and other officers who were often the agents of tyranny and oppression. The demand for self-government first

took the form of muttered discontent; growing stronger and better organized, it assumed the bolder form of petition for the redress of grievances. Those who know the Anglo-Saxon race, know that this is the precursor of revolution.

Fortunately for the colonists, they found, at this juncture, among the rulers placed over them by the London Company, a steadfast and influential friend, whose heart beat in sympathy with popular rights, and who was destined in a few years to be the instrument for establishing representative government in America.

Capt. George Yardley* came to Virginia on the ship, "Deliverance," in 1609. "He was," says a distinguished writer, "a man of wealth and of well deserved influence." He was descended from a Staffordshire family, known as the "Lords of Yardley." One of his ancestors was a witness to the signature of King John to the first Magna Charta, June 15, 1215. Capt. George Yardley was a subscriber, or stockholder in the London Company. He had served with distinction in Holland, in the war against Spain. A contemporary said of him, that he was "a soldier truly bred in the University of War in the Low Countries." He served as President of the Colonial Council until 1616, about which time he was married to Temperance West. In this year, Governor, Sir Thomas Dale, departing for England in company with John Rolfe and his wife Pocahontas, left Capt. Yardley as Deputy Governor. He was thus enabled by actual residence, and by official relations with the colonists, to form a just estimate of their needs, and a true conception of their rights. His character and modes of thought made him the friend and supporter of popular rights at the time when the colonists needed a judicious and faithful friend.

The storm was even then brewing among the commons of England which was destined in the next reign to deluge the island in blood, and to bring a king to the

*See Genealogical Notes.

scaffold. The English people were beginning to mutter against royal prerogatives, and they listened with sympathy to the complaints of the colonists.

The Virginia Company was divided into two factions. The ruling party, known as the Court party was led by the President, or Treasurer, Sir Thomas Smith. This party looked upon the colonists as servants of the Company, employed to do its bidding, as entitled to no political rights, and as instruments to be used for the pecuniary benefit of the Company and its officers. It was, therefore, the policy of this party to govern the Colony by rigid regulations, and to permit the colonists no voice in the control of affairs.

The continued complaints of the colonists, and the evident justice of their cause, had aroused the sympathy of the more liberal members, and, had brought to their aid a few powerful friends who looked beyond the grievances of the colonists to the effect which the assertion of Virginia rights would produce on public sentiment in England. In addition to this the mismanagement of the Company's affairs by the Court party, and the tyranny of its agents had injured the value of the Company's property, had retarded and almost stopped immigration, and was beginning to drive many immigrants back to England.

A strong party known as the Virginia party was formed within the London Company, at the head of which were Shakespeare's friend, the Earl of Southampton, Sir Edwin Sandys, and Mr. Nicolas Ferrar.

It is not surprising that the principles and qualities which made Yardley beloved by the colonists, made him distasteful to the President of the London Company, and to the Court party. Capt. Samuel Argall, a relative of President Smith, and his commercial agent, was appointed to supersede "the mild and popular Yardley." This action was received by the colonists as a public calamity, and their indignation was freely expressed. In the end, however, it was fortunate for their interests.

The tyranny and rapacity of Argall soon became notorious, and hastened the overthrow of the Court party.

Yardley repaired to London, and presented to the Company the condition of affairs in the Colony. The cause of reform was warmly espoused by Sir Edwin Sandys, the Earl of Southampton, and other leaders of the Virginia party. A severe conflict ensued within the Company, which was eagerly watched by the people of England. The meetings of the Company were thronged with visitors. The Virginia remonstrances and the debates at the sessions of the Company became the theme of conversation in all parts of England.

When the matter came to a vote, the Court party was completely overthrown. The colonial policy was radically changed. Argall was recalled. The right of local self-government was accorded to Virginia. Capt. George Yardley was elected Governor-General of the Colony. A little later, Sir Thomas Smith was forced to resign with damage to his reputation, and Sir Edwin Sandys was elected President, or Treasurer.

A remarkable circumstance connected with these proceedings is the fact that they received the assent of the suspicious tyrant, James I. Gondomar the Spanish minister warned him: "The Virginia Courts are but a seminary for a seditious Parliament." Many contemporaneous expressions show, that the reflex influence which this Virginia House of Burgesses would exert upon the institutions of England, was foreseen by the thinkers of that day.

In addition to this James was personally favorable to the Court party, and disliked the leaders of the Virginia party. He especially detested Sir Edwin Sandys, and is reported to have said: "Elect the devil if you will, but not Sir Edwin Sandys." Yet the effect of these measures so far escaped the microscopic vision of the cunning tyrant, that he not only assented to the new policy, but even gave it a *quasi* approval.

He sent for Capt. Yardley, the Governor-elect, received him graciously, admitted him to a lengthy interview, and finally as a signal mark of the favor of the sovereign, conferred on him the honor of knighthood, November 22, 1618.

A great victory had been achieved when Sir George Yardley, successful in his mission, honored by the London Company, favored by his sovereign, and secure of the love of the colonists, sailed from England, January 29, 1619, bearing his commission and instructions to confer on Virginia the right of local self-government.

After reaching Jamestown, he entered upon the duties of his office as Governor-General, April 19, 1619.

"From the moment of Yardley's arrival," says Bancroft "dates the real life of the Colony. He made proclamation 'that those cruell lawes, by which the ancient planters had been soe longe governed, were now abrogated, and that they were to be governed by those free lawes, which his majesties subjectes lived under in Englande.' Nor were these concessions left dependent on the good will of administrative officers. 'That the planters might have a hande in the governinge of themselves, yt was graunted that a generall assemblee shoulde be held yearly once, whereat were to be present the Governor and Counsell, with two burgesses from each plantation, freely to be elected by the inhabitantes thereof, this assemblee to have power to make and ordaine whatsoever lawes and orders shoulde by them be thought good and profitable for their subsistence;'"

Early in June, Sir George Yardley "sente his summons all over the country, as well to invite those of the Counsell of Estate that were absente, as also for the election of the burgesses."

Then came the first general election. Let us picture in imagination the pride and pleasure with which our ancestors assembled in their respective precincts to elect their first representatives. There were some old

English prejudices, but no organized parties. Possibly, there may have been some artful dodging of issues, but this had not been reduced to the science of a party platform. There were no political bosses, no election machinery, no ballot boxes. Proud of the exercise of the elective franchise, the colonists voted, as freemen should be proud to vote, *viva voce*.

From each of the eleven boroughs, or hundreds, or plantations, two delegates, called burgesses, were elected. These names should live in the history of all Americans, for this Assembly represented all of the English race then in America. I quote their names from the list given by Mr. Henry, as follows:

For James City: Captain William Powell, and Ensign Wm. Spence.

For Charles City: Samuel Sharp, and Samuel Jordan.

For the City of Henricus, (Dutch Gap): Thomas Dowse and John Polentine.

For Kiccowtan, (Hampton): Capt. William Tucker, and William Capp.

For Smythe's Hundred: Capt. Thomas Graves, and Walter Shelley.

For Martin's Hundred: John Boys and John Jackson.

For Argall's Guifte: Capt. Thos Pawlett, and Mr. Gourgaing.

For Flouer dieu Hundred: Ensign Rosingham, and Mr. Jefferson.

For Lawne's Plantation, (Isle of Wight): Capt. Christopher Lawne and Ensign Washer.

For Ward's Plantation: Capt. Warde, and Lieut. Gibbs.

For Martin's Plantation: Thos Davis and Robert Stacey.

Many of these names will be recognized as household words. Among them, many deserve comment, but the limits of this paper will permit mention of only one.

The name of Capt. Thomas Pawlett is conspicuous in Virginia history. He was a brother of Robert Pawlett, who was appointed one of the Concillors of Virginia, but declined the office, and also of Lord John Powlett. The name was spelled in three different ways, and the three brothers seemed to have adopted three different modes of spelling it. In 1623, Capt. Thomas Pawlett received a grant for the famous estate of Westover on James River, which was bequeathed at his death to his brother, Lord John Powlett, and which subsequently became the property of Col. William Byrd, the author of the Dividing Line. From this family is descended Maj. John W. Paulett, now a citizen of Knoxville, Tennessee.

On the 30th day of July, 1619, the burgesses assembled at Jamestown, and representative government in America was an accomplished fact.

Let us use our imagination to depict the scene in which these actors with simplicity unaffected, and with grandeur all unconscious, shaped intuitively and accurately the model of American Legislation.

Says Mr. Henry: "On the memorable morning of the 30th of July, 1619, the Governor went in state to the church. He was accompanied by the Councillors and officers of the Colony, with a guard of Halberdiers dressed in the Governor's livery. Behind them walked with becoming dignity, the twenty-two newly elected burgesses."

"In the contemporaneous account sent to England by the Speaker we are told: 'The most convenient place we could finde to sitt in was the Quire of the Church, where Sir George Yardley, the Governor, being sett down in his accustomed place, those of the Counsel of Estate sate nexte him on both handes, except only the Secretary, then appointed Speaker, who sate right before him. John Twine, Clerke of the General Assembly, being placed nexte to the Speaker, and Thomas Pierse, the Sergeant, standnig at the barre, to be ready for any service the Assembly should command him. But foras-

much as men's affaires doe little prosper where God's service is neglected, all the burgesses took their places in the Quire till a prayer was said by Mr. Bucke, the minister, that it would please God to guide and sanctifie all our proceedings to his owne glory, and the good of this plantation. Prayer being ended, to the intente that as we had begun at God Almighty, so we might proceed with awfull and due respecte towards the Lieutenant, our most gracious and dread soveraigne, all the Burgesses were intreated to retyre themselves into the body of the Churche, which being done, before they were freely admitted, they were called to order and by name, and so every man (none staggering at it) tooke the oath of Supremacy, and then entered the Assembly."

Let us glance at the Councillors, who sat on either side of Governor Yardley. Says Mr. Henry: "They were all Englishmen of high type, and following ancient customs, they sat with their hats on." * * *

"Among them was Sir Francis West, the son of Sir Thomas West, the second Lord De La Warr. He was subsequently to become Governor of Virginia. He was a direct descendant of William, the Conqueror."

"Captain Nathaniel Powell had come to Virginia with the first colonists; had been with Newport when he explored York River, and with Smith when he explored Chesapeake Bay. He was a man of culture, and kept an account of occurrences in the Colony, which had been freely used by Capt. Smith in his history of Virginia."

"John Rolfe had come to Virginia with Sir Thomas Gates. In 1612, he introduced the systematic culture of tobacco in Virginia. In 1614, he had married the Princess Pocahontas, whom he carried to England in 1616."

"The Rev. William Wickham was of a prominent family. He added the dignity of the clergy to the Assembly in which he sat."

"Captain Samuel Maycock was a Cambridge scholar, and a gentleman of birth, virtue, and industry."

"John Pory, Secretary of the Colony, sat as the Speaker of the Burgesses. He had been educated at Cambridge, and was an accomplished scholar. He was a disciple of the celebrated Hackluyt, who left the highest testimonials to his learning. Having served in Parliament, he was able to give order to their proceedings, and proper form to their acts."

"The Rev. Richard Bucke, the officiating minister was educated at Oxford, and was an able and learned Divine. He married in Virginia, was the minister at Jamestown, where in 1614, he performed the marriage ceremony between Rolfe and the Indian Princess Pocahontas. The church in which the Assembly met had been built for him, wholly at the charge of the inhabitants of James City."

The first act of the Burgesses was to purge their roll. They excluded the two Burgesses from Martin's plantation on the ground that this plantation, by the terms of its patent, was exempt from the general form of government prescribed for the Colony, and they petitioned the London Company to amend the patent, so that there might be no grant whereby "the uniformity and equality of lawes and orders extending over the whole Colony might be impeached." Says Mr. Henry: "Thus early did Virginia insist upon the equality of her citizens before the law, a principle reasserted in her Declaration of Right, in 1776, when she became a State."

The next step was to call upon the Speaker to read the commission creating the Assembly.

"He read unto them the commission for establishing the Counsell of Estate and the General Assembly, wherein their duties were described to the life. Having thus prepared them, he read over unto them the great Charter or commission of priviledges, orders, and lawes, sent by Sir George Yardley, out of England." The next step was to appoint committees. The Assembly was then ready for business.

They adjourned at the end of five days, having transacted a greater amount of business, more novel in character, and more far-reaching in effects, than has, perhaps, ever been transacted by any subsequent Legislature in the same length of time.

Let us examine some of the features which this remarkable Assembly, with no precedent or guide, except the experience of their Speaker as a member of Parliament, has, spontaneously and permanently stamped upon the organization of legislative assemblies and the forms of American legislation.

1. The organization, Speaker, Clerk, Sergeant-at-Arms.
2. The opening with prayer.
3. The swearing-in of members.
4. Purging the roll.
5. The appointment of committees.

It is to be regretted that the example of the rapid dispatch of business which was so conspicuously set by this model Assembly, has not likewise descended to posterity. In noting the proceedings, one remarkable fact strikes the reader, viz: Matters referred to the committees were usually reported the next day.

Six petitions were sent by the Assembly to the London Company. These related, for the most part, to the allotment, tenure and descent of lands, and to regulations for immigration. One petition deserves especial notice, being the first movement in favor of education in America. The Company is entreated, that "towards the erecting of the university and college, they will sende, when they shall think it most convenient, workmen of all sortes, fit for the purpose." The plans for the establishment of the "university and college" were frustrated by the Indian massacre of 1622, but the effort many years later culminated in the establishment of William and Mary College.

Next, came the report of the committee to whom had

been referred "the great Charter of lawes, orders, and priviledges," brought by Sir George Yardley. This committee had been cautiously instructed to report whether it contained anything "not perfectly squaring with the State of the Colony, or any law pressing or binding too hard, because this great Charter is to bind us and our heirs forever." After receiving the report, "there remaining no further scruple in the mindes of the Assembly touching the great Charter of lawes, orders, and priviledges, the Speaker putt the same to question, and so it hath the general assent and applause of the whole Assembly."

Then followed a number of laws of both public and private nature, relating to taxation, agriculture, religion, crimes, misdemeanors, intercourse with the Indians, and many other matters. The Assembly then sat as a criminal court.

It would be interesting, did not the limits of this paper prohibit, to note the quaintness of some of these laws, as well as the shrewdness and sagacity of this primitive legislation.

I cannot forbear to mention three acts which bear witness to the foresight of these legislators, and the original character of the statutes which they crowded into their five-days' session. (1) They passed a law to provide for taking a census of the inhabitants, this being the first legislation for a census. (2) They passed laws for recording births, marriages and deaths. (3) They passed a law fixing the price of tobacco at three shillings a pound for the best, and eighteen pence a pound "for the second sort."

The importance of this last provision will be apparent when it is remembered that tobacco was the currency of the country, and that fluctuations in its value affected our ancestors as disastrously as we are now affected by fluctuations in the relative value of gold and silver. The committee of this model Assembly, however, was able to

report on the currency question in one day, and the Assembly solved the problem on the next. The intermeddling of the English government with the value of tobacco as a currency, at a later date, prompted by the supposed interests of English merchants, caused much discontent in the Colony, and gave rise to the famous Parson's Case, in which the eloquence of the "forest-born Demosthenes" first burst into flame.

The Assembly closed its labors with a petition to the London Company to amend the "Great Charter of lawes, orders, and priviledges" by confirming a grant which the charter merely held out as a promise for the future. I quote the words of the petition:

"Their last humble suite is, that the said Counsell and Company would be pleased, so soon as they shall finde it convenient, to make good their promise sett down at the conclusion of their commission for establishing the Counsell of Estate and the Generall Assembly, namely, that they will give us power to allowe or disallowe of their orders of courts, as his Majesty hath given them power to allowe or reject our lawes."

This petition has been styled "The First Declaration of Independence." It is not, however, a declaration. It is a petition for independence. Its language is not defiant and assertive, like the famous declaration of 1776; yet, it evinces, in the weaknes of infancy, the same spirit, which strengthened with the growth of the Colony; which, in 1676, blazed out in Bacon's Rebellion; which found stern utterance in the resolutions of 1765:

"*Resolved*, That the General Assembly of this Colony have the sole right and power to lay taxes and impositions upon the inhabitants of this Colony; and that any attempt to vest such power in any person or persons, whatsoever, other than the General Assembly aforesaid, has a manifest tendency to destroy British, as well as American freedom."

This sentiment found its grandest expression in the

words spoken before a Virginia Convention, in 1775, "Give me liberty or give me death," words second in sublimity only to the divine fiat, "Let there be light"; and which reached its culmination in 1776, when a Virginia delegate moved: "These united colonies are, and of right, ought to be, free and independent States," and a Virginia statesman penned the immortal Declaration.

The limits of this paper will not permit me to trace in detail the subsequent history of those connected with this first Legislative Assembly in America. The petition of the House of Burgesses was granted by the London Company. On the 24th of July, 1621, the Company amended its previous liberal grants of power to the colonists by formulating a written constitution, embracing nearly all the features contained in the several petitions of the House of Burgesses, and especially the feature granting the Burgesses a veto on the orders of the Company. The following quotation from Bancroft sketches the provisions of this constitution:

"Its terms were few and simple; a governor to be appointed by the Company; a permanent council likewise to be appointed by the Company; a General Assembly to be convened yearly, and to consist of the members of the council and of two burgesses to be chosen from each of the several plantations by the respective inhabitants. The Assembly might exercise full legislative authority, a negative voice being reserved to the governor; but no law or ordinance would be valid unless ratified by the Company in England. It was further agreed that after the government of the Colony should have once been framed, no orders from the Court in London should bind the Colony, unless they should in like manner be ratified by the General Assembly."

These concessions show the complete ascendancy of the Virginia party in the London Company. This liberal policy continued during the existence of the Company, but the time of reaction was at hand.

James I. began to awaken to the significance of these proceedings. He recalled the words of the Spanish Minister, and repented of his acquiescence in the new colonial policy. The fever of a tyrant's hatred began to swell in his veins against the London Company. He called to his councils the former President, Sir Thomas Smith, and the rapacious Capt. Samuel Argall, on the latter of whom he conferred the honor of knighthood. Lending a ready ear to these malcontents, he entered upon a crusade against the leaders of the Virginia party.

His active hostility forced Sir Edwin Sandys from office, and finally caused his imprisonment. George Sandys was elected by the Company to succeed his brother, Sir Edwin. Later, the office devolved upon the Earl of Southampton. Yardley was forced by ill health, and the hostility of the King to decline re-election. At a meeting of the Company held January 29, 1621, the Earl of Southampton stated that "he had received advertisement of Sir George Yardley's importuning desire to relinquish his said office at the expiration of his said commission." He accordingly nominated Sir Francis Wyatt to succeed him. The Court took time to consider the matter, and at its next session, elected Sir Francis Wyatt as Governor-General of Virginia.

The hostility of James, however, did not drive the Company from its liberal policy. They proceeded to enact the written constitution above recited, and sent it to the Colony by the new governor, Sir Francis Wyatt. The persistence of the Company in this liberal policy so exasperated James that he demanded the surrender of the charter, to which demand the Company returned a dignified refusal. The King then proceeded by judicial process. On the 16th day of June, 1624, the Court of King's Bench, whose judges sat at the royal pleasure, pronounced judgment against the Company, and its charter was declared "forfeited."

The dissolution of the London Company, seriously

endangered the liberties of Virginia. The Company had been an anomaly in government. It had been an intermediate link between the King and the Colony. Under the control of the Virginia party, it served the purpose of substituting the public sentiment of the English people in place of royal despotism in the colonial policy of England. It had acted a noble and patriotic part. It had confirmed to the Colony the priceless and irrevocable gift of representative government, and had given to the English people a lesson and an example. Its dissolution left the people of England to profit by the lesson, and the people of Virginia to guard the gift. How well the English people learned the lesson may be read in the history of the Stuarts. The sagacity, firmness and boldness with which the Virginians guarded the gift, excites the admiration and gratitude of posterity.

The temper of the colonists was subjected to an immediate test. The crafty King had sent a commission to Virginia, consisting of Sir John Harvey, afterwards a royal governor, Mr. Samuel Matthews and John Pory. It is to be regretted that the name of John Pory is found in such company, for he had been Secretary of the Colony under Yardley, and the *ex-officio* Speaker of the first Assembly. He had now been brought over to the royal interest. These commissioners were sent to investigate the condition of the Colony. They had, also, a secret mission. They were instructed to procure by promises, threats or artifice, from the House of Burgesses an expression of approval of the King's policy, a petition for the dissolution of the London Company, and a surrender of the Yardley charter and the subsequent constitution.

The commissioners found to their surprise and chagrin, that the colonists were too firm and wary to be cajoled. Instead of the compliance expected of them, the House of Burgesses sent by a messenger of their own a protest against the proceedings of the King, a defence of

the London Company, and a refusal to surrender either the Yardley charter or the constitution.

The King now entered upon the task of framing a system of government for Virginia, in accordance with the purpose which he had previously announced to Parliament, as follows: "That he would hereafter take the affairs of the Virginia Company into his own serious consideration and care; and that, by the next Parliament, they would all see that he would make it one of his *masterpieces*." Death, however, interrupted his plans, and spoiled the "*masterpiece*."

When Charles I. ascended the throne of his father, March 27, 1625, he manifested indifference to the political questions relating to Virginia, and seemed to be interested only in measures of securing a revenue from the industries of the colonists. He seemed not to comprehend the principles involved in the contest, and showed some desire for popularity.

Now came the second triumph of the "Father of Representative Government" in America. Sir George Yardley was recalled from retirement, and as a love offering from the King to the colonists, he was appointed Governor-General of Virginia. His commission was dated April 19, 1627, being the seventh anniversary of his former entrance upon office. This commission conferred on him the unusual power of filling by his own appointment, all vacancies existing in the "Counsell of Estate." He entered upon the duties May 17, 1626, and continued in office until his death. The early historians who recorded the events of this period did not seem to comprehend the significance of the "First Legislative Assembly." They ignored the important part taken by Yardley, and the love which was felt to him by the colonists. Posterity sympathizes with the colonists, and accords to Yardley his rightful place in history.

We close this sketch with a quotation from Bancroft: "The reappointment of Yardley was in itself a guaran-

tee that representative government would be maintained; for it was Yardley who had introduced the system."

"Virginia rose rapidly in public esteem; in 1627 a thousand immigrants arrived; and there was an increasing demand upon the products of the soil."

"In November, 1627, the career of Yardley was closed by death. The colonists in a letter to the privy council, gave a eulogy on his virtues. Posterity retains a grateful recollection of the man who first convened a representative assembly in the Western Hemisphere."

W. R. GARRETT.

THE BATTLE OF KING'S MOUNTAIN.

BY REV. STEPHEN FOSTER.

This battle followed the battle of Enaree. From the latter it appeared that Col. Isaac Shelby carried off 200 prisoners beyond the pursuit of the English troops. Major Ferguson with a small party of regulars had been detached by Lord Cornwallis, to the upper section of the Carolinas, to gather troops to the royal standard and support the interest of His Majesty there. In this service he proved himself a man of energy and skill; mustered a force of a thousand men, resenting the affront of Shelby, and addressed to the latter a threatening message, that if he would not cease from such depredations, he would march over the mountains and burn those villages which supplied him with men. Shelby, residing at his father's dwelling, in Sullivan County, East Tennessee, on receiving this message repaired to the settlements on Watauga River forty miles distant. He there had ample opportunity of communicating its import to Col. John Sevier, who joined him in a sentiment of congenial heroism for forming a deserving and respectable army. The message before them told them of the foe. It represented to them an enterprise of a new and daring kind. The object of this enterprise was single and distinct. This was Ferguson, the whole of Ferguson, and nothing but Ferguson.

The force which these gentlemen were able to muster in the two settlements was little over 400 men. The army they were to attack was double in number, and headed by the ablest partisan leader in the land. Shelby therefore addressed a letter to Col. William Campbell, Washington County, Va., to come over and join in the en-

terprise. Campbell at first refused, from a desire to march in a different direction, and unite his troop with those which were then struggling in the lower section of his own State. A second message from Shelby was successful. Campbell's division amounted to 400 men. The place of meeting was the Sycamore Flats on Watauga River, at the foot of the Yellow Mountains.

They ascended this mountain on horseback about the first of October, 1780. They encamped the same night in a gap of the mountain on the opposite side. The ascent of the mountain was not very difficult. It was a road travelled before, but was impassable for wagons. No provisions were taken but such as each man could carry in his wallet or saddlebag. The sides and top of the mountain were covered with snow "shoe-mouth deep." On the top of the mountain the troops paraded—here were one hundred acres of beautiful table land. A spring issuing through it ran over into the Watauga. On reaching the plain beyond the mountain, they found themselves in a country covered with verdure, and breathed an atmosphere of summer mildness. The second night they rested at Cathy's plantation. The third day they fell in with Gen. McDowell and that night held a general consultation of the officers. Gen. McDowell was without troops; yet his rank and former services could not easily be overlooked. And at the same time these young and daring officers, impatient to inflict a decisive blow on Ferguson, were unwilling to brook the delay that might ensue from entrusting the command to him. It was accordingly stated in council that they needed an experienced officer to command them; they knew Gen. Morgan was the man they wanted; they were unacquainted with Greene and feared that their request to him for Morgan's services would be little attended to, coming as it necessarily must from strangers. To obviate this difficulty so apparently perplexing, McDowell very generously offered to be their messenger, being personally acquainted with

Greene and Morgan; his offer was gladly and promptly accepted. It was a matter of immediate consultation who should lead them to the intended attack. Col. Campbell, having been nominated by Col. Shelby, both from a principle of courtesy and the superior number of men in his regiment, was elected accordingly.

The fourth night they rested at a rich Tory's where they obtained abundance of every necessary refreshment. On passing near the Cowpens they heard of a large body of Tories about eight miles distant. And, although the main enterprise was not to be delayed a single moment, a party of eighty volunteers under Ensign Robert Campbell was permitted to go in chase of them during the night. These had removed before our party came to the place, who accordingly after riding all night came up with the main body the next day. On the next night a similar expedition was conducted by another officer without success, but without adding any delay to the march of the army. At Gilberton, about two or three days march from the enemy, our troops fell in with Col. Williams (who was able to select the best pilots) together with Colonels Cleveland, Tracy and Brandon, each commanding a body of men, and the whole amounting to 300. These were retreating before Ferguson and were glad to join their forces to ours. On the night before the day of action, a misunderstanding arose in the attempt to cross a river. Two fords were taken and the army had separated and was crossing at both. When this was perceived by the officers, a halt was ordered, and the men rested on this side until morning. Two roads were here, and to prevent spies from passing and repassing they were both guarded by appointed watchmen. The least public of these was guarded by Lieut. Sawyers (since Col. Sawyers) and twenty-five men were here taken in this single night. Our officers and men were so bent upon their object—so anxious to take Ferguson by surprise, and so apprehensive of his possible escape, that they could not

brook the delay of footmen. Four hundred of them were on foot—the other seven hundred were mounted riflemen. It was proposed for the sake of dispatch that these should move in the speediest manner, and though the whole force was already too small, it was determined to risk the fate of the enterprise on the bravery and address of the 700 men. While preparations were made by the officers for this division, many of the troops in the meantime thought it a fit opportunity for refreshment. Beef was spitted at the fire, and mixed dough was in the very process of baking when the order was given for the troops to march. The hot meat without roasting and the hot dough without baking, was rudely thrust by every man into his saddlebags or wallet and the men galloped off without a murmur. This was in the dead of night. They were forty-five miles from the enemy and nothing but the very best riding over such roads as the country afforded, would bring them the next day to his quarters in season to terminate the action by daylight. They were accordingly there by two o'clock in the afternoon. Here a few intervening circumstances may be mentioned. Capt. Craig's and some other companies on crossing a river (probably Broad River) were made to believe by their commanding officers, for the sake of trying the courage of their men, that the enemy were upon the opposite bank. The enemy, accordingly, which was nothing else than the advanced guard of our own troops, made his appearance for their reception, retiring a little as they approached the river. They crossed the river, dismounted from their horses and advanced to the proposed attack on the enemy. But finding no enemy there to meet them, they returned to their horses and proceeded without further delay.

Not far onward they were to pass a house on the right. This house formed a corner in the road. They turned it and bent their course to the right hand. Here stood a man in the decrepitude of old age, leaning on a

staff and watching our men with great earnestness of visage. He called out "God bless you" till his voice died in the distance of the way, and in the noise and hurry of the forward march. They now began to meet with scattered notices of the enemy's encampment in the burnt fences and trodden ground. As the afternoon advanced, some began to talk of an encampment for our troops and to give up the hope of meeting the enemy to-day. They had now travelled about forty-five miles and during much of this time had been wet with rain. It was about two o'clock when, coming to a place within two or three miles of the enemy, they intercepted two of his pickets and captured the same without firing a gun. Ferguson may have had some notice of our troops, though not immediately before their arrival. A deserter from Col. Cleveland's division, who will be mentioned again in the sequel of the narrative, had arrived at the British quarters a day or two before and told Ferguson of the approaching attack. His appearance was said to be so shabby and unpromising as to detract much from any high regard to his statement. Yet so wary and vigilant an officer as Ferguson, was not to be taken altogether by surprise. He had his chosen position and assumed a vigorous defence. He was confident in his own measures, yet to secure every precaution he sent a message to Cornwallis desiring aid, at the same time stating he had named the place of his encampment, King's Mountain, in honor of the King, and was so strongly fortified here, that if all the rebels in hell were rained down upon him, they could not drive him from it. The message was intercepted by our men and Cornwallis knew nothing of the danger till Ferguson was no more.

King's Mountain is a ridge running east and west in York District, South Carolina, about ten miles north of the Cherokee Ford, of Broad River. A ledge of rock skirts the summit of this mountain on the south side. This formed a natural breastwork for the enemy, behind

which they could lie with their heads only exposed, and leisurely take aim at our troops on that side. And it is a remarkable fact that does credit to the rifles of our men, that an unusual number of the enemy who fell, were shot through the head. Before the action, Col. Shelby remarked to the army that he had been twice likely to be killed for an enemy by his own men: he, therefore, recommended, as an expedient of safety, that every man first strip off his coat and hat, and go to battle without them. This was done by himself and regiment, but not by others. Col. Campbell also was induced to lay off his coat, which being very peculiar in its color and form, would have rendered him signally conspicuous from others.

King's Mountain now emerged to the view of our men, and the British and Tory troops were seen through the forest, rising from dinner. The battle line was quickly formed. The main attack was to be made by Campbell and Shelby's division, up the east and steepest side of the mountain. Sevier was to ascend the left side of the mountain from these and Cleveland on his right. Of the main body, Campbell's division was on the right and Shelby's on the left. Capt. Elliot, in Shelby's division, occupied the extreme left, Lieut. Sawyers next to him, Capt. Maxwell's company next, and Capt. Webb, the extreme right. The order of march in the companies composing Col. Campbell's division was as nearly as the hurry of the transaction would admit, the order of the battle line from right to left, the following: Capt. Dy-sart, Capt. Coloil, Capt. Edmonston, Capt. Beatie, Lieut. Bowen, Capt. Craig. But the movement forward was made with so much agility and the retreat so hurried and abrupt, that these companies not only became intermixed with one another, but also with Col. Shelby's. The troops were ordered to shout the Indian war whoop, ascend the mountain and attack the enemy. This was done with great vigor, when the enemy advanced in firm platoons, fired their muskets, charged with fixed bayonets

and obliged them to give way. In the mean time Cols. Williams, Tracy, Brandon, Cleveland and Sevier, who were to march from the left of the main body and compass the south and west side of the mountain, in the space of fifteen minutes arrived there and assailed the enemy in that direction. This gave our troops an opportunity to rally and return to the charge.

In the early part of this action, Col. Shelby was employed, at some distance from his regiment, to reconnoitre the enemy by a movement around the north side of the mountain to the right of our troops. Here he discovered a spacious opening between the right of Campbell's division and the left of Sevier's. He viewed it to be an advantageous position for directing a constant and effectual fire upon the backs of a body of Ferguson's troops which lay guarded in front by the ledge of rocks. He detached Ensign Robert Campbell with about forty men for this service, and returned to the support of his own division. He found Col. Campbell's men in great disorder from the first shock of the British platoons, and called Lieut. Sawyers and some others who assisted to rally and bring them back. In a short time after the rallying began, Col. Campbell's horse became exhausted; the Colonel dismounted and fought through the rest of the action on foot. This was a bay horse of thin appearance, and had been nearly overcome by the fatigue of the march. The horse which Col. Campbell ordinarily rode was a bald face black horse. After the first retreat, Col. Shelby, it is said, saw this horse and some rider on him whom he mistook for Col. Campbell at the distance of some 200 yards from the scene.

Ensign Campbell, as above directed by Col. Shelby, occupied a spur of the mountain forty yards from the enemy. When leading his men to that place, one of them, from a view of its exposed locality, exclaimed to his commander: "What! are you taking us there to be marks for the enemy?" "No," said the other, "to make marks of

the enemy." And this proved to be actually the case. For after this detachment had plied their rifles in the successive discharge of several rounds to a man, Ferguson perceived their fire to be so fatal that he gave orders to his adjutant, McGinnis, to dislodge them. McGinnis marched his party to the charge. Campbell heard him order them to make ready, and he commanded his own men to stand fast, that is to stand behind the trees. McGinnis then ordered them to fire on Campbell, who, from the narrowness of the tree that shielded him, expected to be shot through by several bullets at once. And he escaped this fate, not by the protection of the tree, but by the horizontal aim of the British muskets, which converged their bullets to a place above him, cracking the bark and splinters from the tree and shattering them down upon his head. Campbell had now a load in his gun which he discharged with aim at the shoulders of McGinnis, and the latter instantly fell. The party now emerged from behind their trees, discharged their peices with similar exactness, and the survivors of the British party retired to the main body. Campbell inspected the body of McGinnis and saw a shot through the part of the shoulder he had aimed at. And his party resumed their galling fire upon the backs of Ferguson's men.

On all sides now the fire was brisk. Our men had become cool from the first panic of the British charge, and were plying their rifles with steady effect. The matter was come to a desperate crisis. Ferguson was still in the heat of battle with characteristic coolness and daring. He ordered Capt. Dupoister with a body of regulars to reinforce a position about 100 yards distant. But before they arrived at this short distance, they were thinned too much by the American rifles to render any effectual support. He then ordered his cavalry to mount, with a view of making a desperate onset at their head. But those only presented a better mark for the American rifles, and fell as fast as they could mount their horses.

He, then perceiving the thinnest line that surrounded him to be that of Ensign Campbell's riflemen, proceeded on horseback with two militia colonels, with the apparent design to force his passage through them and make an attempt to escape, but before reaching the line of battle, he was shot and expired. He had held out with inflexible resolution beyond even the hope of resistance. His men once raised the white flag of surrender and he pulled it down. He had a shrill sounding silver whistle, whose signal was universally known through the ranks, and was of immense service on many occasions, and gave a kind of ubiquity to his movements. Who shot Ferguson remains in uncertainty; several have claimed it, but the honor seems distinctly accorded to none; nor does it appear to universal satisfaction whether he was shot on horseback or sitting upon a stone.

The Americans were now in regular column approaching the British. A large section of Col. Campbell's troops advanced with too much rapidity, when a reserved fire from the British breastworks did more fatal execution there than in the whole action besides, because this forward movement brought them to a level with the British muskets, which in most instances overshot their heads. Lieut. Sawyers to this moment kept his men to this station, from which they had been firing through most of the battle, at the distance of about twenty-five steps from the enemy. Seeing the reserved fire discharged, he ordered his men to advance, in order to increase the enemy's confusion. The same was done by the other companies on this side of the mountain; and Col. Sevier, who had gallantly borne his share in the conflict, was resolutely crowding upon the other side. The British Regulars and American Tories were not only surrounded, but crowded close together, cooped up in surprisingly narrow spaces, by the surrounding pressure of the American troops, and fatally galled by an incessant fire. Du-poister, who succeeded in the place of Ferguson, per-

ceived but too plainly that any further struggle was in vain. He raised the white flag and exclaimed for quarter. Quarter was given by a general cessation of the American fire, but this cessation was by no means complete as some did not understand the meaning of a white flag; others who knew its meaning very well, knew that this flag had been raised before, but quickly pulled down again by the British commander. Andrew Evans was one of these. He was standing near to Col. Campbell and in the very act of shooting, when Campbell jerked his gun upwards to prevent its effect, exclaiming: "Evans, for God's sake don't shoot! it is murder to kill them when they raise the white flag."

Col. Campbell seems not to have been distinguished as the American commander, for, having fought as a foot soldier during most of the action, having climbed over the rocks of the enemy's breastworks with his men, who drove them away from it, he was standing in the front ranks of his soldiery, his coat off and shirt collar open like a sturdy farmer. Dupoister came riding on a gray horse not far from the place and inquired, "Where is your General?" Mr. Beatie and another pointed to the place where Col. Campbell was standing, and Mr. Crow, who was not a gun's length from Campbell, heard Dupoister exclaim twice, "Col. Campbell, it was damned unfair," alluding to the above mentioned continued fire, to which Campbell made no answer but the order to dismount. He dismounted accordingly and held his sword for deliverance to his captors, which was in the first place received by Evan Shelby and handed to Col. Campbell. The arms were now lying in front of the prisoners without any orders how to dispose of them. Col. Shelby, from the part of the line which he commanded, rode out of the ranks with the apparent design of finding Col. Campbell. Returning without success he exclaimed, "Good God! what can we do in this confusion?" "We can order the prisoners from their arms," said Sawyers.

"Yes," said Shelby, "that can be done." The prisoners were accordingly marched to another place, and there surrounded by a double guard.

This action was on the 7th of Oct., 1780. The loss of the enemy was 225 killed, 130 wounded, 700 prisoners and 1,500 stands of arms. The American loss was 30 killed and 60 wounded. About 700 men achieved this victory. Sevier led about 240, Shelby 200, Campbell 400, the Carolina Colonels 300, making in all about 1,140, of which it has been stated that about 400 were left behind for want of horses. These were met the next day and reunited with the victors in their march from the scene.

So signal an exploit could not long remain a secret to Lord Cornwallis, and numerous rumors soon reached our men that he was in pursuit to recover his prisoners. Our troops, therefore, moved from the battleground with as little delay as possible, to make sure of a victory so happily won. And here let us pause for a moment to answer the following question: Why were so many killed in the American ranks, when the British platoons so generally overshot them? First, because the great body of Ferguson's troops were Tories, as good marksmen as our own, who always sought an object for their rifles. Lieut. Edmonston was standing a moment seeking a view of an enemy to fire at among Ferguson's men behind the breastworks and was shot by a rifleman from the very place he was inspecting. This incident was an example of many, for the rocks, which formed a part of this breastwork, shielded the enemy and enabled them to leisurely fire at our men. Second, the eagerness of our men for action. This was so great that it led them to exposure both dangerous and useless. Their surest and most effectual mode of fighting was to stand at the distance of a proper gunshot and fire with deliberate aim at their enemy, but many of them were too impatient for this delay. Moses Shelby, Fagan and some others leaped

upon the wagons of the enemy's breastwork in the useless attempt to storm his camp, but they were soon carried off wounded from the scene. Some were wounded by the charge of the British bayonets before they could retire from the first assault. The death of Col. Williams was a signal instance of this intemperate eagerness for action. He spied Ferguson, toward the close of the action, on horseback, and made for him with the full determination of a personal encounter. William Moore was close to him and heard him exclaim, "I will kill Ferguson or die in the attempt." He spurred his horse to a speedy movement, when a rifle bullet ended his career. He survived till the white flag told of the enemy's surrender, and said, "I die content."

Thirdly, from the enemy's reserved fire at the end of the action. Lieut. Sawyers saw the companies around him, after a general discharge from the British, go too hastily forward, and checked his own men from doing so. This movement forward, near the place of the wagons, brought many of our men on a level with the British, and their reserved fire, which was then discharged in its usual horizontal direction, did fatal execution in our ranks at that place. The number killed in Col. Campbell's division during the action was 13. The action was on Saturday.

On the next Saturday a Court Martial was held by our officers to try from the ranks of the Tory prisoners some offenders of a notorious kind. Thirty-two persons of this description were condemned to die, of which 23 were pardoned by the commanding officer; the remaining nine were executed the same night. This summary procedure was thought necessary; first, from the unsettled condition of affairs, which precluded all hope of trial by jury; secondly, from the flagitious nature of the offences, one of which was the following: A man went to his neighbor's house and inquired of a little boy, "Where is your father?" to which the lad answered, "He is not

at home," and the man shot him without further ceremony, though fortunately the youth recovered of his wound; thirdly, to deter others from similar offences, and prevent these very men from doing them again.

The prisoners and their captors proceeded on their march. The prisoners were every night obliged to sit upon the ground on pain of being shot by the guard which surrounded them. One night about two weeks after the battle, a boy was acting for one of the sentries. One of the prisoners, taking notice of this, contrived to move himself gradually and without rising near to the place where the boy kept guard. As soon as he was near enough to take the requisite advantage, he started with a quick jump and was making off with speed when the boy wheeled upon his heel, levelled his rifle and shot the fugitive through the kidneys. The man was now disabled from flight, and was drawn back again into the ranks of the prisoners. In the morning it was ascertained, by the testimony of Col. Cleveland, that he was a deserter from the troops of the latter, and was the very man who had gone to tell Ferguson of our approach. This man, therefore, though in imminent hazard of his life through his wound, must be tried by the laws and usages of war. The Court Martial was equally divided, and Col. Shelby, who had been absent on a visit for the night, was called on his arrival to decide the life or death of the culprit by a single vote. The march was now delayed nearly two hours, and Shelby, though apparently of a rough and careless exterior, was deeply concerned with his own responsibility, that while some were teasing him for an immediate decision, he would not give it in less than half an hour. He finally gave it for the man's execution, and preparations were made for it accordingly. Two stakes were put in the ground, converging toward each other at the top, for him to stand upon, while his neck was fast from above by a rope, ready to hang him when the under support should be drawn away. He was

permitted to stand in this attitude an hour, during which time he was constantly entreating Col. Cleveland with, "Oh, Col. Cleveland, I pray you pardon me, and I will be a good and faithful soldier ever after!" In the meantime Col. Campbell came up and asked, "Are you the deserter who left our troops to inform the enemy?" "No," said the other. "Now," added Col. Campbell, "you are quickly to stand before your Maker in judgment; tell me, in truth, if you are that deserter?" "Yes," said the other, "I am," and his execution took place accordingly.

So many of our troops as were judged needful for safety, accompanied the prisoners a journey of three weeks from King's Mountain to Mulberry Fields, now Wilksborough, in the State of North Carolina. Here they were met by a detachment of some hundreds of Carolina Militia, and with these the prisoners were left in custody. Cols. Campbell, Shelby and Sevier attended the prisoners to this place, then left them and returned home.

In this expedition the exposure and privations were extreme. Four hundred or more were on foot, but these had kept up with the horses some distance beyond the Yellow Mountain. The speed of their march required bodies inured to the hardest service. The last day they rode forty-five miles, and encountered a disciplined enemy, posted on a high and advantageous position. Having no baggage wagons nor public stores, every man was, from necessity, his own provider. His fare was the plainest, the coarsest and the scarcest. His resources of provision, like the Sidonian widow's, was "a handful of meal." This, placed in his saddlebags, furnished the amount of his luxury, and when this was exhausted he was left at the mercy of fortune for the rest. The sick and wounded were hurried from the battlefield with all imaginable speed to avoid the assault of the pursuing enemy. The softest accommodation that could be made ready for conveyance was the fresh hides of the slaughtered cattle, fastened to two poles, these attached to two

horses, one before and one behind, and thus the sufferer was carried off in safety.

To specify particulars would spin this narrative to a tedious prolixity. Two instances only will here be inserted. Alexander McMillin rode all night preceding the action, of course was without sleep. The second night, that is the night after the action, he was attending with Henry Dickerson to the wants of James Laird and Charles Kilgore, the latter was shot with two balls through the side, and the former, one, near the middle. They were constantly in need of water. Water was of very difficult procurement, and the effort to keep them in constant supply employed these men with very little intermission, and without allowing them a moment of rest. The next night McMillin was on guard. Here were three nights without a wink of sleep. The fourth night he was on guard every two hours, with intervals of rest of the same length of time. The guard stood so thick around the prisoners as to be able to touch each other's hands by reaching. Here stood McMillin, firmly braced, with his gun in his right hand, resting upon the ground. Some time in the night, Maj. Evan Shelby, going the rounds of the watch to observe its order, came to him and asked, "Where is your gun?" The latter, supposing it to have fallen at his feet, busily moved them without stooping down, in order to find it lying beneath him, but not finding it there, he felt constrained to reply to the unwelcome interrogatory, "Really, I cannot tell." Shelby stepped aside, took it from against a tree where it was leaning, and handed it back to the owner with these words, "Remember it is death to sleep on guard." McMillin acknowledged that this was law, but added in apology that he had been four days deprived of sleep from the above mentioned causes. Shelby rejoined, "You must sleep no more upon guard, but never divulge the secret," and for this generous forbearance on the part of the inspecting officer, McMillin ever afterwards cherished for

him a sense of high personal regard, though if measures had been taken against him, and death adjudged for neglect of duty, the circumstances of the case would have been seen to urge so strong a plea in his own justification as to secure a reprieve from the designated punishment.

The day after William Campbell was chosen to the command, he proposed to Robert Campbell to lead off a detachment of men by night and fall upon a party of Tories, eight miles distant. The offer was gladly accepted, and a body of about eighty volunteers set off for the attack. The Tories had retreated, so our party had no fighting; they returned and joined the main body at daylight. The next night Robert Campbell was on a similar expedition, under the command of another officer. On the next night they begun the above mentioned march of forty-five miles previous to the action. Here were three successive days and nights of the hardest service, without a moment of sleep. The next day he was requested to take charge of some part of the guard, but he stated to an officer that this was impossible from the above mentioned incessant vigils. He then sunk down by a tree and knew nothing more until daylight; he awoke shivering in the frost. Col. Shelby that night, being officer of the guard, was now seen with others sitting at the guard fire. Campbell arose, approached the fire and was presented by Shelby with a bottle of rum for immediate relief. He drank of this, sat down by the fire and undoubtedly felt the justice of the Old Testament prescription, "Give strong drink to him that is ready to perish, and wine to those that be of heavy hearts."

These two instances may perhaps suffice. For how can it be requisite to give publicity here, even if the writer's information were adequate, to the individual suffering of the sixty wounded; to tell of broken limbs and mangled bodies, of bullet holes through the body, probed by sympathizing fellow-soldiers, with a smothered twig of sassafras, of mortification spreading from one

limb to another; of the want of all kinds of relief from a surgeon, when none was present but a wrathful swearing British doctor, to prove that the privations and sufferings of these men were extreme? Nor does it seem any more necessary to specify cases of individual valor. Two instances only of faltering courage have been mentioned to the writer from Col. Shelby's division. One was of a captain lying flat upon his back in the beginning of the action. Another was of a captain who exclaimed for bullets to a comrade, who was passing him to go up the mountain, "bullets, bullets, my dear sir, I have not a bullet in my pouch!" "Here is enough of them," said his friend, reaching out a handful to give him. "Oh, they will not fit my gun," said the other who was accordingly left to this bloodless dilemma. The rest of these men were eager for action, and determined on victory and seemed to have answered well to the sentiment of their commander, who told them before leaving the waters of the Watauga that he wanted no man to join the enterprise, who did not wish to fight the enemy. The troops of the other Colonels appear to have been actuated by a similar spirit.

The whole history of the enterprise demonstrates that our men were led to espouse it, not from a fear that the enemy would execute his vain threats upon their villages; for to these mountaneers nothing than such a scene, would have made prettier game for their rifles; nothing more desirable than to entice such an enemy from his pleasant roads, rich plantations and gentle climate, with his ponderous luggage and valuable armory, into the very centre of their own fastnesses; to hang upon his flank, to pick up his stragglers, to cut off his foragers, to make short and desperate sallies upon his camp, and finally to make him a certain prey without a struggle and without loss. Nor was it the authority or influence of a State which led them to engage in this hazardous service. They knew not whether to any or to what State they be-

longed. From the rude circumstances of their early settlement, the difficulty of passing the wide ridges of mountains, and their consequent seclusion from their eastern friends, they were living in a state of primitive independence, and it was not till several years after this, that from the apparent and urgent necessity of the case, they created a temporary government of their own, the Franklin Government. Nor can it be expected that gratuitous patriotism, from which this enterprise evidently sprung, so different from that of a paper victory, a scramble for office and for gain, can be fully comprehended by modern politicians. In those days of different principles, to know that American liberty was invaded and that the only apparent alternative in the case was American independence or subjugation, was enough to nerve their hearts to the boldest pulsation of freedom, and ripen their purposes to the fullest determination of putting down the aggressor. The success at King's Mountain was fraught with signal advantage to America; it broke up the royal interest in the upper section of Carolina; it enabled our Generals to concentrate their forces upon great objects, and was one in that series of happy incidents which conspired in the progress of the next year, to consummate the splendid achievement at Yorktown.

NOTE.

The above paper was written previous to 1835. It was taken from a certified copy: the original is in possession of a descendant of the Campbell family, T. W. Preston of Vicksburg, Miss. It came into possession of the Tennessee Historical Society, May 1895, in the following manner:

The first attempt at the organization of a Historical Society in Tennessee took place at Knoxville about the year 1831, Judge W. B. Reese, Dr. Ramsey, Dr. James King, and the Rev. Stephen Foster, all of whom have passed away, being the most efficient members. The life of the Society was of short duration, but during that time several admirable addresses touching the history of

the State were delivered and printed. Hon. John M. Lea, President of the Tennessee Historical Society, while on a visit to Memphis, a few months ago, was informed that an elderly lady, a descendant of Gen. Campbell, had in her possession an account of the battle of King's Mountain, written by a soldier who participated in the conflict. After diligent inquiry, the name and locality of the lady was ascertained, and the services of a typewriter engaged to copy the paper, which turned out not to have been written by a soldier. Judge Lea recognized the document as an old friend, he having heard the paper read by the Rev. Stephen Foster about sixty years ago at a meeting of the East Tennessee Historical Society in Knoxville.

Dr. Foster was a professor in the University of Tennessee, a native of Connecticut. The President of the Historical Society, who was one of his pupils, on presenting the paper, paid a tribute to his memory. His early death was a great loss to the cause of education in Tennessee. He was the first prominent advocate of the temperance cause in this State, taking the ground that the sale of ardent spirits should be prohibited or regulated by law. A sermon on that subject by him was printed and extensively circulated, an extract from which can be found in Field's Scrap Book. During his last illness, the Doctor prescribed a stimulant, but the patient said, "No, I have preached all my life against the effects of ardent spirits, and now that I am dying I shall not get drunk."

ANOTHER ACCOUNT OF THE BATTLE OF KING'S MOUNTAIN.

The following account of the battle of King's Mountain was found among the papers of James Campbell, deceased. It was written by Robt. Campbell, a participant in the battle, and an ensign in Capt. Dysart's Company, who when Capt. Dysart was wounded early in the action, commanded the company afterwards. It was presented to the Tennessee Historical Society by Jno. R. Eakin in 1848. It differs in some points from the account of Dr. Foster.

KING'S MOUNTAIN.

In the fall of the year one thousand seven hundred and eighty, when the American Cause wore a very gloomy

aspects in the Southern States, Cols. Arthur and William Campbell, hearing of the advance of Col. Ferguson along the mountains in the State of North Carolina, and that the Whigs were retreating before him, unable to make any effectual resistance, formed a plan to intercept him, and communicated it to the commanding officers of Sullivan and Washington Counties in the State of North Carolina. They readily agreed to co-operate in any expedition against Col. Ferguson. Col. Arthur Campbell immediately gave orders to the Militia of Washington County, Va., amounting to near four hundred, to make ready to march, under the command of Col. William Campbell, who was known to be an enterprising and active officer. Cols. Shelby and Sevier raised a party of about three hundred, joined him on his march, and moved with forced marches towards Col. Ferguson. At the same time Cols. Williams, Cleveland, Tracy, and Branon, of the States of North and South Carolina, each conducted a small party towards the same point, amounting to near three hundred. Col. Ferguson had notice of their approach, by a deserter that left the army on the Yellow Mountain; and immediately commenced his march for Charlotte, despatching at the same time different messengers to Lord Cornwallis with information of his danger. These messengers being intercepted on their way, no movement was made to favor his retreat.

These several corps of American volunteers, amounting to near one thousand men, met at Gilbert-town, and the officers unanimously chose Col. Campbell to the command. About seven hundred choice riflemen mounted their horses for the purpose of following the retreating army. The balance, being chiefly footmen, were left to follow on and come up as soon as they could. The pursuit was too rapid to render an escape practicable. Ferguson finding that he must inevitably be overtaken, chose his ground and waited for the attack, on King's Mountain. On the seventh of October in the afternoon, after a

forced march of forty-five miles on that day and the night before, the volunteers came up with him.

The forenoon of the day was wet, but they were fortunate enough to come on him undiscovered, and took his piquets, they not having it in their power to give an alarm. They were soon formed in such order as to attack the enemy on all sides. The Washington and Sullivan regiments, were formed in the front, and on the right flank. The North and South Carolina troops under Cols. Williams, Sevier, Cleveland, Tracy, and Branon, on the left. The two armies now in full view, the centre of the one nearly opposite the centre of the other, the British main guard posted nearly half way down the mountain, the commanding officer gave the word of command to raise the Indian war whoop and charge. In a moment King's Mountain resounded with the shouts, and on the first fire the guard retreated leaving some of their men to crimson the earth. The British beat to arms and immediately formed on the top of the mountain behind a chain of rocks that appeared impregnable, and had their wagons drawn up on their flank across the end of the mountain, by which they made a strong breastwork.

Thus concealed the American army advanced to the charge. In ten or fifteen minutes, the wings came round, and the action became general. The enemy annoyed our troops very much from their advantageous position. Col. Shelby, being previously ordered to reconnoiter their position, observing their situation and what a destructive fire was kept up from behind those rocks; ordered Robt. Campbell, one of the officers of the Virginia line to move to the right with a small company, to endeavour to dislodge them; and led them on nearly to the ground to which he had ordered them, under the fire of the enemies line and within forty steps of the same, but discovering that our men were repulsed on the other side of the mountain, he gave orders to advance and post themselves opposite to the rocks, and near to the enemy; and then

returned to assist in bringing up the men in order, who had been charged with the bayonet. These orders were punctually obeyed, and they kept up such a galling fire, as to compel Ferguson to order a company of regulars to face them with a view to cover his men that were posted behind the rocks. At this time a considerable fire was drawn to this side of the mountain by the repulse of those on the other, and the loyalists not being permitted to leave their posts. This scene was not of long duration; for it was the brave Virginia Volunteers, and those under Col. Shelby, on their attempting rapidly to ascend the mountain, that were charged with the bayonet. They obstinately stood until some of them were thrust through the body, and having nothing but their rifles by which to defend themselves, they were forced to retreat. They were soon rallied by their gallant commanders Campbell and Shelby and other brave officers, and by a constant and well directed fire of their rifles, drove them back in their town, strewing the face of the mountain with their assailants, and kept advancing until they drove them from some of their posts. Ferguson being heavily pressed on all sides, ordered Capt. Dupoister to reinforce some of the extreme posts with a full company of British Regulars. He marched, but to his astonishment, when he arrived at the place of destination, he had almost no men, being exposed in that short distance to the constant fire of their rifles. He then ordered his cavalry to mount, but to no purpose. As quick as they were mounted they were taken down by some bold marksman. Being driven to desperation by such a scene of misfortune, Col. Ferguson endeavored to make his escape, and with two Colonels of the loyalists, mounted his horse and charged on that part of the line which was defended by the party who had been ordered round the mountain by Col. Shelby, it appearing too weak to resist them; but as soon as he got to the line he fell, and the other two officers, attempting to retreat, soon shared the same fate.

It was about this time that Col. Campbell advanced in front of his men and clomb over a steep rock close by the enemy's line, to get a view of their situation, and saw they were retreating from behind the rocks that were near to him. As soon as Capt. Dupoister observed that Col. Ferguson was killed, he raised a flag and called for quarter. It was soon taken out of his hand by one of our officers on horseback, and raised so high that it could be seen by our line, and the firing immediately ceased. The loyalists at the time of their surrender, were driven into a crowd, and being so closely surrounded, they could not have made any further resistance.

In this sharp action, one hundred and fifty of Col. Ferguson's party were killed, and something over that number were wounded; eight hundred and ten (of whom one hundred were British Regulars) surrendered themselves prisoners, and one thousand five hundred stands of arms were taken.

The loss of the American army on this occasion amounted to thirty killed, and something over fifty wounded, among whom were a number of brave officers. Col. Williams, who has been so much lamented, was shot through the body, near the close of the action, in making an attempt to charge upon Ferguson. He lived long enough to hear of the surrender of the British army; he then said, "I die contented since we have gained the victory," and expired.

The third night after the action the officers of the Carolinas complained to Col. Campbell that there were among the prisoners a number who had, previous to the action on King's Mountain, committed cool and deliberate murder, and other enormities alike atrocious, and requested him to order a Court Martial to examine into the matter; they stated that if they should escape, they were exasperated, and they feared they would commit other enormities worse than they had formerly done. Col. Campbell complied, and ordered a Court Martial immedi-

ately to sit, composed of the field officers and captains, who were ordered to inquire into the complaints which had been made. The court was conducted orderly, and witnesses were called and examined in each case. The consequence was that there were thirty-two condemned; out of these, nine, who were thought to be the most dangerous, and who had committed the most atrocious crimes, were executed; the others were pardoned by the commanding officer. One of the crimes proven against a Captain that was executed, was, that he had called at the home of a Whig and inquired if he was at home; being informed by his son, a small boy, that he was not, he immediately drew out his pistol and shot him.

The officers on that occasion acted from an honorable motive to do the greatest good in their power for the public service, and to check these enormities so frequently committed in the States of North and South Carolina at that time, their distress being almost unequalled in the annals of "The American Revolution."

A LETTER RELATIVE TO THE BATTLE OF KING'S MOUNTAIN.

The "Campbell Manuscript," relative to this battle being now deposited in the State Historical Society, and having recently been published or republished in one of the city papers, I deem it time and highly proper that some letters and publications, relative to that affair, which have long been in my possession, should no longer be withheld from the same depository, or from such use as the Society may see proper to make of them.

That Col. Wm. Campbell was entitled to much credit, that he acted a prominent, noble, and patriotic part on that occasion, we most readily grant.

It is an ungracious office to me, who greatly admire

all the actors, to question any praise that has ever been bestowed upon any one who acted either a prominent or inferior part on that eventful day. In the estimation of some persons, and according to the "Campbell Manuscript," Col. Campbell was the master spirit and actual commander at King's Mountain. His *superior* office and merit has been *questioned*, not his patriotism, nor his bravery, but the chief honor arrogated to him.

We know that Col. Wm. Campbell Preston, a grandson of Col. Campbell, has on more than one occasion, in most glowing terms, advocated these claims of honor for his worthy kinsman. Preston, the elegant gentleman, the learned scholar, the eloquent orator and distinguished statesman, could well be expected to make use of happiest words upon such a theme. He has claimed for his noble ancestor pre-eminent distinction in devising and conducting that enterprise and battle; others were entitled to a full share, an equal honor with Col. Campbell. It detracts nothing from his just meed to place others in as eminent a niche of fame.

We present these letters and publications that they may be *preserved* for reference and use by any enquirer or the future historian.

We shall not attempt to point out any discrepancies in the statements. We will not detract from the merits of any of the actors in an affair which was so reputable in itself and so beneficial in its results.

It was fought at the most critical time of the American Revolution; it sent a cheering ray of light through the gloom; it turned the tide of war in our favor, and the noble deeds of these mountain boys should never be forgotten.

We present eight original letters from *Gov. Isaac Shelby*. Seven of these are addressed to *Gov. John Sevier*, dated respectively, Jan. 1, Feb. 24, Aug. 12, Aug. 24, Oct. 3, 1810; Jan. 26, Feb. 20, 1814, and one addressed to Col. George W. Sevier, Jan. 8, 1823; authentic copies of

five letters from Gov. Sevier to Gov. Shelby; sundry letters to A. W. Putnam from Maj. Thos. H. Shelby; a *pamphlet of twenty-four pages* published in April, 1823, by Gov. Shelby, containing a statement of the "Battle of King's Mountain," to which are added extracts from various letters and statements furnished him by persons engaged in the battle and acquainted with the contemporaneous accounts of the parts there enacted; "The Battle of King's Mountain," as published by Lyman C. Draper, Esq., in the "Farmer's and Mechanics Journal," of New York, July 17, 1839; "A Legend of King's Mountain," published in a New York paper; "A Memoir of the Services of Gov. John Sevier," by his son, Maj. James Sevier, written in 1839. This is an interesting and reliable biographical and historical sketch. Maj. Sevier was in the battle of King's Mountain. He gives his own version of the affair.

It will be noticed that in the "Detailed Account of this Engagement," signed by the Colonels, the name of Gov. Sevier does not appear, nor do the names of Col. McDowell and Col. Williams. Sevier was then (as may be seen in this statement) only a Lieutenant Colonel; that might have been reason sufficient, but the "Account," although dated "at camp," was not prepared and signed immediately after the battle and on the battlefield.

Col. Sevier and his troops hastened home, where their presence was greatly needed. He did not tarry to see whether or not due honor should be given him and his troops for their services. They rejoiced in the victory; he greatly rejoiced at it, though it had cost the lives of his sons. No men acted more bravely or shed more family blood on that battlefield, than the Seviars and the Edmestons.

During all of his after life, Gen. Sevier preserved some of the trophies of that battle; of some of these we have heretofore made mention. A. W. PUTNAM.

January 4, 1858.

THE PROVISIONAL CONSTITUTION OF FRANKLAND.

When the eastern counties of Tennessee, in the summer of 1784, began the movement for forming an independent State, they were unable, for a time, to agree upon the form of a constitution. A provisional government was put into operation without a constitution. At a convention held in Jonesboro December, 1784, a constitution "was submitted and agreed to, subject to the ratification or rejection of a future convention to be chosen by the people, and to meet on the fourteenth of November at Greeneville."

No copy of this provisional constitution is extant, and its features can only be conjectured. At the convention held at Greeneville, November 14, 1785, a committee was appointed to report a constitution or form of government. This committee reported a Bill of Rights and a Constitution, which, it is believed, coincided in the main, with the provisional constitution; perhaps introducing modifications and additions. A printed edition of this report was issued in 1786, in pamphlet form.

One of these pamphlets is now among the treasures of the Tennessee Historical Society, and is believed to be the only complete record of this remarkable document now in existence, and the only printed record of any kind of the State of Frankland or Franklin. It is printed on a large sheet of paper, numbered and paged to be folded into a pamphlet of twenty-four pages. It is doubtless a copy laid aside by the author for his own use, after the remainder of the edition had been folded and issued as pamphlets. It is yellow with age, torn and worn, but

every word is legible, except in a few torn places, easily supplied from the context.

It seems to have been a campaign document edited by Rev. Samuel Houston, one of the members of the Convention, and the author of many of the leading features of the Constitution. He secured an accurate copy of the Bill of Rights and Constitution, attested by Francis A. Ramsey, Clerk of the Convention. To this he prefixed the preface, which is an argument in favor of its ratification by the people. Francis A. Ramsey, the attesting clerk; was the father of Dr. J. G. M. Ramsey, the historian.

This pamphlet was presented to the Tennessee Historical Society by its former President; the venerable historian, Dr. J. G. M. Ramsey, April 9, 1880. The following extract from his letter of presentation gives a succinct history of its origin:

The history of this ancient Franklin paper is a peculiar one. It was the presentation of Rev. Samuel Houston, an influential member of the Convention of 1784, from Washington County. His constitution was rejected. He repaired to Philadelphia and had a number of copies of it printed and on his return home it was circulated through the country of Franklin. But the Constitution of North Carolina had been previously adopted by the people, and of course Mr. Houston's could not be acted on and was considered as rejected. In 1846 or probably earlier I wrote to Mr. H. inquiring for the printed document. He died soon after this in Rockbridge, Va., to which he had long since removed. I reopened my correspondence with his son and executor in search of the lost document. The son afterwards died. A daughter, Miss Serona Houston, renewed the search, and last year after a more minute examination of her grandfather's papers, she found the lost paper and sent it to me. You will perceive that it is attested by the Clerk of the Convention, Francis C. Ramsey, is almost illegible from age and exposure. I send it now to the Tennessee Historical Society for preservation. It ought to be bound and well taken care of, as perhaps, the last and only *printed document* now in existence of that ancient Commonwealth.

Dr. Ramsey's *Annals of Tennessee* was published in 1853. At that time he had been able, after diligent search, to procure only a mutilated copy of this pamphlet. He republished the Bill of Rights and a portion of the

Constitution, breaking off about the middle of section 45 with the following note: "[REMAINDER OF CONSTITUTION LOST]." He alluded to the preface, but did not republish it. This preface is given below, and is hardly less interesting and curious than the Constitution itself.

In the reprint below, the Constitution is continued in italics from the point where Dr. Ramsey breaks off. This document is given in full, and every word will be interesting to the student of history. Its length may deter the general reader, who is referred to sections 3, 12, 32, 42, 45. Below is given a reprint of the title page, which is very nearly a facsimile.

A

DECLARATION OF RIGHTS,

ALSO, THE

CONSTITUTION,

OR

FORM OF GOVERNMENT,

Agreed to, and resolved upon, by the REPRESENTATIVES of the Freemen of the

STATE OF *FRANKLAND*,

Elected and chosen for that particular purpose, in Convention assembled, at *GREENEVILLE*, the 14th of *November*, 1785.

PHILADELPHIA.

Printed by FRANCIS BAILEY, at *Yorick's Head*.

M DCC LXXXVI.

PREFACE.

That the readers may more easily and fully understand the following publication, it is proposed that, by way of Preface, he should be informed of its rise, and of the reasons why it appears so unfinished and inaccurate from the Press.

In December 1784, at Jonesborough, in this State, a Convention held, and having agreed to a Constitution, recommended and held it out to the people for their consideration, signifying to the people, that before the expiration of one year they should choose a Convention, for the express purpose of adopting it in the name of the people, or altering it, as instructed by them; which is attested by the Resolve itself, and a Resolve of the Assembly which sat August 1786.

Well, accordingly, the late Convention met at Greeneville, November the 14th, 1785; and from different parts of the State, the people laid in instructions, which shewed that there was a great diversity and contrariety of sentiments amongst them. However, the Convention, after some debate, agreed to appoint a Committee of their members, who should prepare a Form of Government to lay before the whole Convention, that it might be examined, altered, amended, and added to, as the majority should think proper; and thus be perfected and finished in as accurate a manner as the united wisdom of members of the Convention could do.

After the Committee retired, the first thing of account they agreed upon, was, to proceed upon business by taking the Constitution of North Carolina for their groundwork or foundation, and together with it, all political helps that the thirteen Constitutions, the instructions of the people, and any other quarter might afford, to prepare a report to lay before the Convention. In this manner the Committee proceeded, adhering strictly to the groundwork, viz. North Carolina Constitution, retaining of it whatever appeared suitable, and to it collected pieces out of their other political helps, till they had just conformed their plan, that it might be laid before the whole Convention, that, as has been said, it might be examined, altered, amended, and added to, as the majority should think best.

The whole house having met, the Report of the Committee was laid before them, and rejected in the lump; in consequence of which, the whole house took up the North Carolina Constitution, and hastily reading it off, approved of it in the general, whilst the friends of the Report of the Committee strove to introduce, but all in vain, some material parts of their plan, viz., a single house of Legislation, equal and adequate representation, the exclusion of attorneys from the Assembly, etc., and failing in these most important points, they, by the unanimous consent of the whole Convention, obtained leave to enter upon the Journals, their dissent to what had been carried in Convention, and also to hold out to the people, for their consideration, the Report of the Committee, except the greater part of the thirty-second section

which upon second thought they objected to. And, for the people's greater satisfaction, following is a true copy of the Dissent, taken from the Journals of the Convention.

"A dissent entered by the following members to what has been agreed to in Convention:

"Because we deem the Report of the Committee, excluding that part of the thirty-second Article, which fixes a tax upon certain articles, as indigo, tobacco, flour, etc., to be the sense of a majority of the freemen of Frankland, and more agreeable to a Republican Government: which Report so amended we hold out for the consideration of the people."

David Campbell,
Samuel Houston,
John Tipton,
John Ward,
Robert Love,
William Cox,
David Craig,
James Montgomery,
John Strain,

David Looney,
John Blair,
James White,
Samuel Newell,
John Gilliland,
James Stuart,
George Maxwell,
Joseph Tipton,
Peter Parkison,

Robert Allison.

Candid Reader, when you consider all these things, you will very readily account for the inaccuracies of the Report, and see full room to pass them over without critical or severe remarks; for it is certain, from the nature of things, and the declarations of many of those who entered the above Dissent, that they did not look upon the above Report by any means as a finished and perfect piece, as its warmest advocates themselves said in Convention, and, therefore, that they, as well as they who were its enemies, meant to inspect every paragraph narrowly, and what, upon mature deliberation, appeared good, to receive, and by a majority of votes confirm, and what did not, reject; for the true light in which it should be viewed is, that every sentence was a mere proposal, unfinished, unconfirmed, and not to be established till the whole house, after due examination and debate upon it, had approved it. Hence, it must appear evident to the impartial reader, that the loud and bitter outcry that has been raised against the Report and its friends, is not like the friendly criticism of loving citizens, but resembles the advantages enemies take of one another, and the use they make of them when excited by malice and bitter enmity.

To conclude; dear reader, lay aside prejudice, and search honestly for truth, and not for catches and quibbles, patiently weighing every part in connection with the whole, and very probably you will clearly see, that the general part and the substance of the Report of the Committee contains principles, provisions, and restrictions which secure the poor and the ruled from being trampled on by the rich and the rulers; also their property and money from being taken from them to support the extravagance of the great men—and that it is full of that

which tends to free them from prevailing enormous wickedness, and to make the citizens virtuous, also, that it is well calculated to open the eyes of the people to look in upon the proceedings of the public, and know and judge for themselves when their rights and privileges are enjoyed or infringed; and therefore suitable to remove ignorance from the country, which is as beneficial to men who wish to live upon the people, as ignorance is in the Church of Rome to support the tyranny of the Pope and his clergy.

A DECLARATION OF RIGHTS,

MADE BY THE REPRESENTATIVES OF THE FREEMEN OF THE STATE OF
FRANKLAND.

1. That all political power is vested in and derived from the people only.
2. That the people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof.
3. That no man, or sett of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services.
4. That the Legislative, Executive and Supreme Judicial powers of government ought to be forever separate and distinct from each other.
5. That all powers of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights and ought not to be exercised.
6. That elections of members to serve as representatives, in General Assembly, ought to be free.
7. That in all criminal prosecutions, every man has a right to be informed of the accusation against him, and to confront the accusers and witnesses with other testimony, and shall not be compelled to give evidence against himself.
8. That no freeman shall be put to answer any criminal charge but by indictment, presentation, or impeachment.
9. That no freeman shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court, as heretofore used.
10. That excessive bail should not be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted.
11. That general warrants, whereby an officer or messenger may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offences are not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.
12. That no freeman ought to be taken, imprisoned, or dis seized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any

manner destroyed or deprived of his life, liberty, or property, but by the law of the land.

13. That every freeman, restrained of his liberty, is entitled to a remedy, to enquire into the lawfulness thereof, and to remove the same, if unlawful; and that such remedy ought not to be denied or delayed.

14. That in all controversies at law, respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred and inviolable.

15. That the freedom of the press is one of the great bulwarks of liberty, and, therefore, ought never to be restrained.

16. That the people of this State ought not to be taxed, or made subject to payment of any impost or duty, without the consent of themselves, or their representatives, in General Assembly, freely given.

17. That the people have a right to bear arms for the defence of the State; and as standing armies, in time of peace, are dangerous to liberty, they ought not to be kept up; and that the military should be kept under strict subordination to, and governed by, the civil power.

18. That the people have a right to assemble together, to consult for their common good, to instruct their representatives, and apply to the Legislature for redress of grievances.

19. That all men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences.

20. That, for redress of grievances, and for amending and strengthening the laws, elections ought to be often held.

21. That a frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

22. That no hereditary emoluments, privileges, or honours, ought to be granted or conferred in this State.

23. That perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.

24. That retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty; therefore no *ex post facto* law ought to be made.

THE CONSTITUTION OR FORM OF GOVERNMENT

AGREED TO AND RESOLVED UPON BY THE REPRESENTATIVES OF THE FREEMEN OF THE STATE OF FRANKLAND, ELECTED AND CHOSEN FOR THAT PARTICULAR PURPOSE, IN CONVENTION ASSEMBLED AT GREENEVILLE, THE 14TH NOVEMBER, 1785.

This State shall be called the *Commonwealth of Frankland* and shall be governed by a General Assembly of the representatives of the freemen of the same, a Governor and Council, and proper courts of justice, in the manner following, *viz*:

Section 1. The supreme legislative power shall be vested in a sin-

gle House of Representatives of the freemen of the commonwealth of Frankland.

Sec. 2. The House of Representatives of the freemen of this State shall consist of persons most noted for wisdom and virtue, to be chosen equally and adequately according to the number of freemen in the commonwealth; provided when the number amounts to one hundred it shall never exceed it, nor be ever afterwards reduced lower than eighty, and every county shall annually send the number apportioned to it by the General Assembly.

Sec. 3. No person shall be eligible to, or hold a seat in the House of Representatives of the freemen of this commonwealth, unless he actually resides in, and possesses land in the county to the quantity of one hundred acres, or to the value of fifty pounds, and is of the full age of twenty-one years. And no person shall be eligible or capable to serve in this or any other office in the civil department of this State, who is of an immoral character, or guilty of such flagrant enormities as drunkenness, gaming, profane swearing, lewdness, Sabbath breaking, and such like; or who will, either in word or writing, deny any of the following propositions, *viz*:

1st. That there is one living and true God, the Creator and Governor of the universe.

2nd. That there is a future state of rewards and punishments.

3rd. That the scriptures of the Old and New Testaments are given by divine inspiration.

4th. That there are three divine persons in the Godhead, co-equal and co-essential.

And no person shall be a member of the House of Representatives, who holds a lucrative office either under this or other States; *that is* has a fixed salary or fees from the State, or is in actual military service and claiming daily pay, or minister of the gospel, or attorney at law, or doctor of physic.

Sec. 4. Every free male inhabitant of this State, of the age of *twenty-one* years, who shall have resided in this State six months immediately preceding the day of election, shall have a vote in electing all officers chosen by the people, in the county where he resides.

Sec. 5. The House of Representatives of this commonwealth shall be styled the *General Assembly of the Representatives of the Freemen of Frankland*; and shall have power to choose their own Speaker, and all other officers, Treasurer, Secretary of State, Superior Judges, Auditors, members to Congress. They shall have power to sit on their own adjournments; to prepare bills, and to enact them into law; to judge of the election of, and qualifications of, their own members. They may expel a member, but not the second time for the same cause; they may administer oaths on the examination of witnesses, redress grievances, impeach State criminals, grant charters of incorporation, constitute towns, cities, boroughs, and counties, and shall have all other powers necessary for the Legislature of a free State or common-

wealth. But they shall have no power to add, alter, abolish, or infringe any part of the Constitution.

Two-thirds of the whole members elected shall constitute a House, (and the expense from the appointed time 'til they make a House, shall be laid on absentees, without a reasonable excuse,) and having met and chosen their Speaker, shall, each of them, before they proceed to business, take and subscribe, as well the oath of fidelity and allegiance hereafter directed, as the following oath—

"I, A. B., do swear, That, as a member of this Assembly, I will not propose or assent to any bill or resolution, which shall appear to me injurious to the people, nor do, nor consent to any act or thing whatever, that shall have a tendency to lessen or abridge the rights and privileges as declared in the Constitution of this State; but will in all things conduct myself as a faithful honest representative and guardian of the people, according to the best of my judgment and abilities. *So help me God.*"

The doors of the house in which the representatives of the freemen of this State shall sit in General Assembly, shall be and remain open, for the admission of all persons who shall behave decently; except when the good of the commonwealth requires them to be shut.

Sec. 6. The votes and proceedings of the General Assembly shall be printed weekly, during their sitting, with the Yeas and Nays on any question, vote, or resolution, (except when the vote is taken by ballot,) when any two members require it; and every member, shall have a right to insert the reasons of his vote upon the Journals, if he desires it.

Sec. 7. That the laws, before they are enacted, may be more maturely considered; and the danger of hasty and injudicious determinations as much as possible prevented, all Bills of a public and general nature shall be printed for the consideration of the people, before they are read in the General Assembly the last time, for debate and amendment; and, except on occasions of sudden necessity, shall not be passed into laws before the next session of the Assembly: And, for the more perfect satisfaction of the public, the reasons and motives for making such laws shall be fully and clearly expressed in the preambles.

Sec. 8. The style of the laws of this commonwealth shall be, *Be it enacted, and it is hereby enacted, by the Representatives of the Freemen of the Commonwealth of Frankland, in General Assembly, and by the authority of the same.* And the General Assembly shall affix their Seal to every Bill as soon as it is enacted into a law; which seal shall be kept by the Assembly, and shall be called the *Seal of the Laws of Frankland*, and shall not be used for any other purpose.

Sec. 9. As in every free government the people have a right of free suffrage for all officers of government that can be chosen by the people, the freemen of this State shall elect Governor and Counsellors, Justices of the Peace for each county, and Coroner or Coroners, Sheriffs,

and all other such officers, except such as the Assembly are empowered to choose.

Sec. 10. All the able bodied men in this State shall be trained for its defence, under such regulations, restrictions and exceptions as the General Assembly shall direct by law, preserving always to the people, from the age of sixteen, the right of choosing their colonels, and all other officers under that rank, in such manner and as often as shall be by the same laws directed.

Sec. 11. The Governor of the State shall be annually chosen by the free suffrages of the people on the day of general election for Representatives for the General Assembly, and the returning officers for each county shall make a fair return to the House of Representatives, of the persons voted for, and the number of votes to each, which the Assembly shall examine, and the highest in votes shall be declared constitutionally elected; but no person shall be eligible more than three years out of seven, nor hold any other office at the same time.

Sec. 12. This State shall be divided into six grand divisions, each of which, as in the above mentioned sections, shall choose a Counsellor; And these divisions shall be thrown into three classes, numbered 1st, 2nd and 3rd, which shall change their members in Council by rotation, beginning with the first class the first year after they have served one, and the second the second year, and so on forever; by which means some acquainted with business will be always in Council. And no person shall be eligible more than three years in seven, nor shall hold any other office in the State.

Sec. 13. The Governor and Council shall meet annually at the same time and place with the General Assembly; The Governor, or, in his absence, the Lieutenant Governor, who shall be one of their number, chosen with the rest, with the Council, (two-thirds of whom shall make a board), shall have power to correspond with other States; to transact business with the officers of government, civil and military; to prepare such business as may appear to them necessary to be laid before the General Assembly: They shall also have power to grant pardons and remit fines, in all cases whatever, except in case of murder, impeachment, and treason, which they may reprieve 'til the end of the next session of Assembly; but there shall be no mitigation of punishment on impeachment, unless by act of the Legislature; They are to take care that the laws be faithfully executed; to expedite the execution of such measures as may be resolved upon by the General Assembly: They may draw upon the Treasury for such sums as shall be appropriated by the House of Representatives—they may also lay embargoes, or prohibit the exportation of any commodity for any time not exceeding thirty days, in the recess of the General Assembly only: They may grant licenses, as the laws shall direct, and shall have power to convene the House of Representatives, when necessary, before the day to which they were adjourned. The Governor shall be commander-in-chief of the forces of the State; but shall not command in person,

except advised thereto by the Council, and then only for so long as they shall approve of. The Governor and Council shall have a Secretary, and keep fair books of their proceedings, wherein any Counselor may enter his dissent, with his reasons in support of it.

Sec. 14. All commissions and grants shall be in the name and by the authority of the freemen of the commonwealth of Frankland, sealed with the State seal, signed by the Governor, or, in his absence, the Lieutenant Governor, and attested by the Secretary; which seal shall be kept by the Council.

Sec. 15. No justice of the peace shall receive any fee, gratuity or reward for his services as a justice; but all other officers of this State shall be allowed as moderate fees or salaries as possible, to be an adequate compensation for their services. And if any officer shall take other or greater fees than the laws allow, it shall ever afterwards disqualify him to hold any office in this State.

Sec. 16. Every officer of government shall be liable to be impeached by the General Assembly, or presented by the grand jury of any of the superior courts, either in office, or after his resignation or removal, for mal-administration. All impeachments shall be before a temporary court composed of the Governor or Lieutenant Governor, and two members of the Council, to be chosen by the Council; the three senior Judges of the Supreme Court, and three members of the General Assembly, to be chosen by the Assembly, who shall, or any five of them, hear and determine the same.

Sec. 17. The Treasurer of State shall be annually appointed, and no person eligible more than three years successively. The Secretary of State, Attorney-General, Auditors, and such like officers, shall be appointed triennially; but removable for misconduct. And any officer, representative in General Assembly, or in the Congress of the United States, who is convicted of a second violation of any part of this constitution, shall be forever afterwards disqualified to hold any place or office in this State.

Sec. 18. That in every case, where any officer, the right of whose appointment is, by this constitution, vested in the General Assembly, shall, during the recess, die, or his office, by other means, become vacant, the Governor shall have power with the advice of the Council of State, to fill up such vacancy, by granting a temporary commission, which shall expire at the end of the next session of the Assembly.

Sec. 19. That no Treasurer, until he shall have finally settled his accounts with the public, and paid the money remaining in his hand to the succeeding Treasurer, nor any person who heretofore has been, or hereafter may be, a Receiver of public monies; under this or any other State, until he has fully accounted for and paid into the treasury all monies for which he may be accountable and liable, shall have a seat in the General Assembly, or be eligible to any civil office in this State.

Sec. 20. The freemen of each county shall, for the purpose of ease, justice and conveniency in holding elections, and other public affairs,

be divided into districts, as near one hundred in each as local circumstances will admit.

Sec. 21. The freemen of each district shall meet upon the second Tuesday of *February* forever, and, at their first meeting, elect three of their own members, who shall be called Registers, and who shall keep a fair alphabetical roll of the freemen of their district. Any two of them agreeing, or upon advice of any five freemen, shall have power to assemble the freemen of their district to consult for the common good, give instructions to their Representatives, or to apply to the Legislature for redress of grievances by address, petition, or remonstrance. They shall preside in all civil district elections, shall meet twice, or oftener, in the year, to deliberate upon and prepare to lay before the people such matters as may be necessary for them to consider. And, to keep up a rotation of the members, the person who shall have fewest votes at the first election, shall continue in office one year, the second two, and the highest three. And no Register shall be eligible for two years after he has served his term.

Sec. 22. That elections may be free, and corruption prevented as much as possible, the Registers of each district shall summon the freemen of their district to meet at some convenient place, upon the first Tuesday of March forever, where they shall elect by ballot, all the officers for their district, which shall be hereafter directed, and the number of persons, indiscriminately, out of the county, appointed to represent it in the General Assembly, in the following manner: the Senior Register shall call each freeman by name, in the order of the roll, who shall give his ticket or tickets to the second Register, and the highest in votes for district officers shall then be declared constitutionally elected; but the names of the persons to represent the county in General Assembly, and their respective numbers of votes, shall, by one of the Registers, be laid before a meeting of one from each district, within ten days after the election; and when all are examined, the highest in votes shall be declared constitutionally elected, and certified by the same Register. No freeman shall have, in this commonwealth, more than one annual vote for any officer of government, and the Legislature hereafter to be appointed, shall, from time to time, enact and keep in force such laws as may appear necessary to prevent and remedy every species of corruption, and to oblige freemen to attend upon elections.

Sec. 23. Justices of the peace shall be elected for each county, ten or, more by the freemen, as shall, by the General Assembly, be thought necessary for each, of those residing within the same, and qualified as mentioned in Section 3, who shall be commissioned during good behaviour, by the Governor or Lieutenant Governor in Council; and no justice of the peace, or any other commissioned officer, shall hold his commission who misbehaves, or is found guilty of such things as disqualify; nor shall any one be chosen who is not a scholar to do the business, nor, unless acquainted with the laws of the country in some measure, but particularly with every article of the Constitution.

Sec. 24. To prevent the civil power usurping spiritual supremacy, the establishing of professions, denominations, or sects of religion, or patronizing ecclesiastical hierarchies and dignitaries, also to secure religious liberty, and the rights of conscience forever inviolate, every citizen of this commonwealth shall forever have full and free liberty to join himself to any society of Christians who may judge most for his edification, and shall experience no civil or legal disadvantages for his so doing: And every society or congregation shall have full liberty, without any restraint from law, to choose any minister they think best suited for their Christian instruction, and to support him as they think best: And every such society or congregation shall have full right to hold all lands given to, or purchased by them, for the use of their society, or any other property they may possess for religious purposes: and the society, or any description of men chosen by them, with power to act in their name, shall have power to receive, or to make and execute deeds, and enter into such other specialties as the society may direct them to make; and shall have full power, by their agent, treasurer, or collector, to receive, recover and retain all property and money justly due to them, in as full a manner as any other collector or agent in this commonwealth. And the future Legislature of this State shall have no power to make any law, act, or resolve whatsoever respecting religion, or the spiritual service we owe to God; but shall confine themselves wholly to matters purely civil.

Sec. 25. Laws for the encouraging of virtue, and preventing and suppressing of vice and immorality, shall be made and constantly kept in force, and provision shall be made for their due execution.

Sec. 26. That no person in the State shall hold more than one lucrative office at any one time, provided that no appointment in the militia, or the office of a justice of the peace, shall be considered as a lucrative office.

Sec. 27. All writs shall run in the name of the State of Frankland, and bear test, and be signed by the clerks of the respective courts. Indictments shall conclude, *against the peace and dignity of the State.*

Sec. 28. That the delegates of this State to the Continental Congress while necessary, shall be chosen annually by the General Assembly, by ballot, but may be superseded, in the meantime, in the same manner; and no person shall be elected to serve in that capacity for more than three years successively.

Sec. 29. A Sheriff and Coroner shall be annually elected, on the day, and in the manner, for electing Representatives in General Assembly, who shall be commissioned as before mentioned; and no person shall be eligible more than two years out of five. Also Commissioners, Assessors, Overseers of the Poor, Surveyors of Roads, and all such officers as each district may require, at the same time and in such number as in future may appear necessary to the Legislature.

Sec. 30. That the person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison, after delivering

up, *bona fide*, all his estate, real and personal, for the use of his creditors, in such manner as shall be hereafter regulated by law. All prisoners shall be bailable by sufficient sureties, unless for capital offences, where the proof is evident or the presumption great.

Sec. 31. That every foreigner, who comes to settle in this State, having first taken an oath of allegiance to the same, may purchase, or, by other just means, acquire, hold, and transfer land or other real estate, and, after one year's residence, shall be deemed a free citizen.

Sec. 32. All kinds of useful learning shall be encouraged by this commonwealth, *that is to say*, the future Legislature shall erect, before the year seventeen hundred and eighty-seven, one University, which shall be near the centre of this State, and not in a city or town: And for endowing the same, there shall be appropriated such lands as may be judged necessary, one-fourth of all the monies arising from the surveys of land hereafter to be made, one halfpenny upon every pound of inspected indigo, that shall be carried out of the State, by land or water; threepence upon every barrel of flour, and one shilling on every hog-head of tobacco, forever.* And, if the fund thence arising shall be found insufficient, the Legislature shall provide for such additions as may be necessary. And if experience shall make it appear to be useful to the interest of learning in this State, a Grammar School shall be erected in each county, and such sums paid by the public as shall enable the trustees to employ a master or masters of approved morals and abilities.

Sec. 33. That no purchase of lands shall be made of the Indian natives, but on behalf of the public, by authority of the General Assembly.

Sec. 34. That the future Legislature of this State shall regulate entails in such a manner as to prevent perpetuities.

Sec. 35. That the Declaration of Rights is hereby declared to be a part of the Constitution of this State, and ought never to be violated, on any pretence whatsoever.

Sec. 36. No tax, custom or contribution shall be imposed upon, or paid by, the people of this State, nor any appropriation of public monies made by the Legislature, except by a law for that purpose; and the purposes for which the money is raised, and to which it is appropriated, shall be clearly expressed in the preamble. And, annually, the General Assembly shall publish a full account of all money paid into the Treasury, and by whom; also of all paid out of it, to whom, and for what.

Sec. 37. If any dispute or difference shall arise betwixt citizens, in matters of debt, property, character, or such things, the parties, agreeing to state their dispute, and leave it to arbitration, shall proceed in the following manner:—they shall apply by joint petition to the Registers of the district where the case exists, or the defendant lives, unless they shall otherwise agree, who shall name, in writing, twenty-four substantial freemen residing in the same, and the parties shall alternately

*Dissented, to as is mentioned in the Preface.

strike out one until one half are struck out; then the parties shall draw by lot such an odd number as they shall agree upon, out of the remainder, who, after taking an oath to try the case in dispute without favor, affection, or partiality, shall hear and finally determine the same.

Sec. 38. The printing presses shall be free to every person who undertakes to examine the proceedings of the Legislature, or any person or part of government; and no prosecution shall commence against a printer for printing anything whatsoever, provided he gives up the person's name.

Sec. 39. The Legislature shall take care to proportion punishments to the crimes, and may provide houses for punishing, by hard labour, those convicted of crimes not capital, wherein the criminals shall be employed, for the benefit of the public, or for the reparation of injuries done to private persons. All persons at proper times, shall be admitted to see the prisoners at their labour.

Sec. 40. The inhabitants of this State shall have liberty to fowl and hunt in seasonable times, on the lands they hold, and all others therein, not enclosed, and in like manner to fish in all boatable waters, and others, not private property.

Sec. 41. The Legislature hereafter to be chosen, shall provide that marriages, in this commonwealth, be regularly and solemnly celebrated, between one man and one woman, before free and single.

Sec. 42. That this Constitution may be the better understood by the citizens of this commonwealth, and be more effectually kept inviolate to the latest ages, the future Legislature shall employ some person or persons, at the public expense, to draw it out into a familiar catechetical form, and the Registers shall take care that it be taught in all the schools within their respective districts; and shall further provide, that a sufficient number of the Constitution be printed, that each citizen may have one, as the inviolable charter of his privileges.

Sec. 43. The future Legislature shall choose and keep a chaplain during their session, if to be obtained, and shall annually invite some minister of the gospel to open their first session, after the annual election, with a sermon.

Sec. 44. The privileges and benefit of the writ of *Habeas Corpus* shall be enjoyed in this commonwealth, in the most free, easy, cheap, expeditious and ample manner, and shall not be suspended by the Legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months. And, in all cases, every person shall enjoy the liberty of being heard by himself and his counsel.

Sec. 45. In order that the freedom of this commonwealth may be preserved inviolate forever, there shall be chosen by the free suffrage of the freemen of the State, on the day of in the year one thousand seven hundred and ninety, and in every succeeding fifth year forever, twenty-four freeholders, two-thirds of which shall constitute a Board in every case, and known by the name of a *Council of Safety*,

and shall meet on the day of next ensuing their election, who, during one year after said day, shall have full power, and their duty shall be, to inquire whether the Constitution has been preserved inviolate in every part; whether Legislative, Executive Judiciary and Military branches of government, and public servants have faithfully performed their several duties, or whether they have assumed to themselves, or exercised, greater or other powers than they are entitled to by this Constitution, or neglected to exercise those with which they were invested.

They are to enquire whether the public taxes have been justly laid and collected in every part of this commonwealth; in what manner the public money and property have been disposed of, and whether the laws have been duly exercised: For these, they shall have power to send for papers and records, to recommend impeachments, and the repealing of such laws as shall appear contrary to the principles of Constitution; they shall fix and regulate the salaries and fees of all civil officers: And no other powers shall they be invested with, or attempt to exercise, and no person shall be eligible as a member of this Council, who, has held any civil office, (except a Justice of the Peace and subaltern in the militia) for the space of two immediately preceding years, nor shall he hold any other office in government, whilst he is a member of Council.

Sec. 46. Estate shall not be entailed, and when a person dies intestate, his or her estate shall be equally divided among their children, considering the part every child before received in his or her portion, the widow shall have a child's share, or her dower, at her option. All other intestate estate, as may be directed by the future Legislature.

Sec. 47. This form of government shall be enrolled on parchment, and be deposited in the Secretary's office, and be a part of the laws of the land; and printed copies thereof shall be prefixed to the book containing the laws of the commonwealth, in all future editions of the said laws.

A true copy from the original,

Attested: per FRANCIS A. RAMSKY, Clerk.

After the rejection of the above Constitution, John Sevier proposed the Constitution of North Carolina, which was adopted with a few amendments. The name of Franklin was adopted for the State.

EARLIEST AMERICAN LITERATURE—CAPTAIN JOHN SMITH.

The last true knight-errant of the world was Captain John Smith, of Virginia. A French soldier at seventeen, three years in the Dutch army, shipwrecked at twenty-one, granted a patent of nobility in Austria for courage in battle against the Turks, taken prisoner and sold as a slave, having escaped and traveled through Europe, the battle-scarred veteran of twenty-seven returned to England in time to join with Gosnold and others in gathering a Colony to settle Virginia. Arrested on shipboard, he is not allowed to take his seat in the Council on landing, yet as a public necessity he became Governor in a short time. Nor is authority enforced with a slack hand. The Governor works himself, and forces all recalcitrant idlers to do the same, sons of gentlemen though most of them were.

That restless spirit which had driven him to hunt the earth over for wars in which to take part, would not leave him without adventure in these American wilds. This was a virgin field for wonderful exploits, and none of his have been discredited in that they seem too marvelous for belief. Despite all, he was a shrewd man of affairs, and knew how to manage men, whether the disaffected at Jamestown or the savages of the forest. So skillful was he in dealing with the latter, that his presence was often of more avail than an army. A true Englishman in his devotion to duty, Captain Smith never hesitated to put his life in jeopardy to carry out the directions of the London Company in exploring the country. His skillful direction of affairs so often saved the Colony from ruin, and the influence of his courage and determi-

nation was so long felt, that we hardly think of his having remained there only two years. Neither is he thought of as a writer, yet nearly a dozen volumes come from his pen. The pioneer of all American literature was "A True Relation of Virginia," this is not half of its title. This book, says Moses Coit Tyler, was published and sold in London near the time and place of John Milton's birth, thus bringing into juxtaposition the first book of free America, and the great expounder of political and religious freedom.

Raleigh had been in turn soldier, sailor, diplomat, man of the world, bookman, penman, why should not Smith have the same ambition? Raleigh was better fitted to shine at Court and had greater facility in the use of language than Smith, but had Raleigh been in charge at Jamestown during the critical period, then not even "Croatan" would have remained to puzzle the chance enquirer. Little as Smith's books smack of true literary form, they accomplished more in turning a tide of settlers toward America than all that Raleigh had ever done. Bancroft says of Smith, "He was the Father of Virginia, the true leader who first planted the Saxon race within the borders of the United States." "A True Relation" faithfully describes the country as far as explored. Time has justified his maps and shown the correctness of his observations. The manuscript for this work was sent to England for publication within thirteen months after the founding of Jamestown. Disturbed by sickness, faction, and destitution in the Colony, exposed to constant danger from savages, can we imagine an author plying his vocation under greater difficulties? Yet within three months the first book was followed by a much more trenchant piece of writing. Certain complaints from the home Company were sent over. Smith answers these in what Tyler calls "Hotspur Rhetoric." He warns them against expecting immediate results, and shows them the necessity of work. Captain Newport had brought over an addi-

tional number of settlers, mainly gentlemen, goldsmiths, glass-makers, soap-boilers,—men fitted to consume rather than produce supplies. Smith wrote: "When you send againe I entreat you rather send but thirty Carpenters, husbandmen, gardiners, fishermen, blacksmiths, masons, and diggers vp of trees' roots, well provided, then a thousand such as we have." This was America's first experience in talking back at England, an embryo Declaration of Independence.

No man foresaw the possibilities of the country so clearly as Smith, at the same time none knew better than he that it was not a land where Lotus-Eaters might dream away the golden afternoons.

The same ship which carried the letter to the home Company bore the manuscript of the author's third production. "The True Relation" gave a faithful description of the country and inhabitants between the Potomac and the James. The third work written in America is described by its title: "Map of the Bay and the Rivers, with Annexed Relation of the Countries, and Natives that Inhabit Them." Natives, plants, animals, soil, climate; all were described with a wonderful minuteness. Of his map of Virginia the Narrative and Critical History of America says: "A work so singularly exact that it has formed the basis of all like delineations since, and was adduced as authority as late as 1873 towards the settlement of the boundary dispute between the States of Virginia and Maryland." To gather this material the Chesapeake with numberless inlets and rivers had been traversed in an open boat. If Smith drew a long bow in narrating personal exploits, no trace of this appears when he comes to record the results of his observations. Bancroft says, "He had nothing counterfeit in his nature: but was open, honest, and sincere."

Not only did he give faithful descriptions, but these in a rude way often showed the taste and genius of a poet. The country was full of marvelous beauty which so won

the heart of this bold adventurer that he never forgot his first, and perhaps only love, Virginia. "Heaven and earth," he said, "never agreed better to frame a place for man's habitation." Continues he in his quaint spelling: "Here are mountaines, hils, plaines, valleyes, rivers, and brookes, all running most pleasantly into a faire Bay, compassed but for the mouth, with fruitful and delight-some land." * * "These waters wash from the rocks such glistening tinctures that the ground in some places seemeth as guilded, where both the rocks and the earth are so splendent to behold, that better judgments then ours might haue beene perswaded, they contained more then possibilities."

His language seems to flow as readily as the streams of that newly discovered country. Of the Powhatan, or James, we find this charming description: "The river is enriched with many goodly brookes, which are maintained by an infinit number of small rundles and pleasant springs, that disperse themselues for the best service, as do the veins of a man's body." With great particularity, the rivers, "Salvages," animals, and plants were noted. Hardly anything was too unimportant to be examined. Among the plums he finds "Puchamins, red when it is ripe; if it be not ripe, it will draw a man's mouth awry, with much torment, but when it is ripe, it is as delicious as an apricot." Some of the descriptions of natives might seem to be notes for a painter. Of the long journeys to complete the "Mappe," Smith says:

"Thus haue I walkt a wayles way, with vncouth pace,
Which yet no Christian man did ever trace:
But yet I know this not affects the minde,
Which eares doth heare; as that which eyes doe finde."

Accidentally wounded beyond the help of local surgery, at the end of two years Smith returned to England never to revisit Jamestown. He had been met with opposition and envy on the part of those whose lives he had often been the means of preserving: he had received no reward

from the London Company, not even the house which he had built with his own hands, yet during the remainder of his life, America was the theme of the numerous books which he wrote. What had been his value was soon apparent. At his departure the Colony numbered five hundred, and was in a prosperous condition; in six months only sixty were left, and they were in the throes of "the starving time."

Smith remained in England until 1614, when he made a voyage to "North Virginia." In the map which he made with his own hand that region was called New England, a name which the world immediately adopted.

In 1624 Smith published "The Generall Historie of Virginia, New England, and the Summer Isles." Two years before his death, which occurred in 1631, this was incorporated in "The True Travels, Adventures, and Observations." This last includes all his works except "A True Relation."

Did Pocahontas save the life of Smith? This story told by Smith was included in almost all historical works until 1866. Since that time it has been omitted by Bancroft and some others. The republication of "A True Relation," by Deane, of Boston, has provoked considerable discussion. Some account of this will be given in another article. Of Captain John Smith as a man and writer Moses Coit Tyler says: "Over all his personal associates in American adventures he seems to tower, by the natural loftiness and reach of the perception with which he grasped the significance of their vast enterprise, and means to its success. As a writer his merits are really great—clearness, force, vividness, picturesque and dramatic energy, a diction racy and crisp."

During the first two decades of the struggle to plant an English settlement in America, Smith did more than any other man to make an American nation and an American literature possible. During that twenty years of encounter with almost every kind of difficulty and danger, besides

Smith there were five other writers of more or less merit. George Percy wrote a vivid account of the arrival in Virginia, and the horrible sufferings of the colonists during that first year in which there were "pitiful murmurings and outcries of our sick men, without relief, every night and day, for the space of six weeks; some departing out of the world, many times three or four in a night, in the morning their bodies trailed out of their cabins like dogs to be buried!" William Strachey wrote a work containing one of the strongest delineations of a storm at sea known to literature. It is thought by some to have suggested to Shakespeare the idea of "The Tempest."

Alexander Whitaker, the "Apostle of Virginia," left good property and influence at home "to bear the name of God unto the heathen." His heart was full of compassion for the Indians. To stir up the people at home, he gives a well-written and clear sketch of the country and climate of Virginia. "Good News from Virginia" was published in London in 1613.

The Secretary for the Colony under Governor Yardley was John Pory, a man of rare attainments. The most sprightly of his writings was a letter to Sir Dudley Carleton, in which were racy descriptions of the country, mingled with amusing accounts of the savages as well as the colonists themselves. Pory had been a man of the world, and of somewhat convivial habits before coming to Virginia. After telling how he managed to pass the time with pen and book, he says: "Besides among these crystal rivers and odoriferous woods I do escape much expense, envy, contempt, vanity, and vexation of mind." Among those who thus added to the world's store of knowledge during the first years at Jamestown there was only one professed man of letters. This was George Sandys, who had already translated five books of Ovid before leaving for the New World. Ten books were translated here in the wilds of North America in such style as to meet the approbation of literary men in England. One of the most

terrible Indian massacres happened soon after his arrival, by which Jamestown was overrun with panic-stricken, half-fed settlers from adjacent settlements. In such an atmosphere, and without books, the poet went on with his work. Sandys continued amid surroundings which would have appalled most men, and produced a work which speedily ran through eight editions. This morning star of American poetry was one of whom we need not feel ashamed. Dryden speaks of him as "the best versifier of the former age." The settlement of Virginia seemed a re-enactment of the old romances. Jason, Æneas and Ulysses had become realities. No people ever underwent greater hardships to found a new nation. With six writers such as Smith, Percy, Strachey, Whitaker, Pory and Sandys, surely American literature had an auspicious beginning.

S. A. LINK,

Nashville, Tenn.

Dec. 13, 1895.

THE CORRESPONDENCE OF GEN. JAMES ROBERTSON.

James Robertson has been styled "the Father of Tennessee," and also "the Father of Middle Tennessee."

The first title was derived from the fact that he was one of the early pioneers in Tennessee, and was, during the nine years of his residence the leader of the first settlement at Watauga. The second title is the one which "befits him best," and around which the most affectionate memories cluster. From the time of his removal to Cumberland in 1779, to the time of his death in 1814, a period of thirty-five years, he was the motive power, the bulwark of the Cumberland settlements, and the idol of its people. A sketch of his life would be the early history of Middle Tennessee.

Descended from a Scottish family, he was born in Brunswick County, Virginia, June 28, 1742. He removed to Wake County, North Carolina, while quite a youth, and thence removed to Watauga in 1770, and to the Cumberland settlements in 1779.

He was active in framing the Articles of the Watauga Association, adopted in 1772, by the settlers on the Watauga, which was the first compact for civil government west of the Alleghany Mountains, and the first by native born Americans. May 1st, 1780, the famous "Articles of Agreement, or Compact of Government," was entered into by the settlers on the Cumberland River, and signed by two hundred and fifty-six settlers, nearly all of whom wrote their own names.

This valuable document has been preserved, and is published in Putnam's History of Middle Tennessee. It is accurate, practical, and suited to the condition of the settlers—a gem of legal literature, sparkling in the

wilderness. It was largely the work of James Robertson.

Fragments of the correspondence of this remarkable man, consisting of copies of letters written by himself, and preserved among his papers, the original letters written to him by correspondents, and copies of important contemporaneous documents, have been preserved. They are bound in manuscript in two large volumes, and are among the treasures of the library of the "University of Nashville and Peabody Normal College." Most of the copies of his own letters and of contemporaneous documents are in Gen. Robertson's own handwriting. A few of the letters were injured before being bound in book form, and are worn in the folds, so as to be, in some places, nearly illegible. In many of the letters, the ink has faded so much that some words are indistinct. An examination of the correspondence shows that the Spaniards used better ink than the Cumberland settlers. In editing this correspondence, no liberty is taken with the originals, except in a few instances, to make them conform to the rules of modern punctuation and spelling, and to supply from the context a few words which are illegible.

These letters have been invaluable to the historians of Tennessee. They supply pictures of social, political and military life, drawn by the leading actors in the events to which they relate. Yet only two or three of them have ever been published. They will be given successively in the issues of this magazine.

The first selection given below, includes the correspondence from 1784 to 1790, at which latter date Tennessee became the Southwest Territory.

Beginning with Vol. I., the manuscript title-page reads as follows:

Correspondence of Gen'l. James Robertson.
Extending from November 4, 1784 to July 30, 1814.
Bound in Two Volumes.

Presented to the Library of The University of Nashville by Dr. Felix Robertson, and bound and deposited by Nathaniel Cross, 1840.

[Then comes the following certificate:]

The Correspondence etc., of Gen. James Robertson, who has been styled the "Father of Tennessee," was obtained from his son, Dr. Felix Robertson of Nashville, with permission to select from it such papers as might be considered worth preserving; inasmuch however as many of those, that were of a private nature, contained the allusions to political occurrences and Indian border troubles of the day, it was deemed best to preserve the correspondence entire. I accordingly arranged them in chronological order and had them bound in these two volumes.

NATHL. CROSS.

Nashville University Library.

1840

[Then comes, as a preface, the following extracts from the early Cumberland records, certified by the historian, A. W. Putnam. This preface is intended to supply some historical facts for the purpose of explaining certain allusions in the Robertson correspondence.]

Under the Government and Rules adopted at "Nashborough, 1st May 1780"—(revived 7th January 1783), many interesting measures were adopted and acts performed;—and we note here in connection with the letter of Gov. Estevan Miro dated "New Orleans 20th April, 1783," and which is bound as of a later date and by some person *in dorso* "1789"—that among the proceedings of the Provisory Government aforesaid, there is an entry of record to the following effect:

"May 6th, 1783."

"Committee met according to adjournment, Present, Col. James Robertson, Thomas Malloy, Geo. Freeland, Saml. Barton, David Rormsevall, Isaac Linsey, Ebenezer Titus, James Shaw and Capt. Isaac Bledsoe.

When Thomas Malloy informed the Committee that he had since the last meeting, at ye request of some of ye members sent letters to ye agent for ye State of Virginia

residing at Illenois, and likewise to ye Spanish Governor, informing them that some of our people had gone down the river this spring upon pretence of trading with ye Chickasas Indians. But by ye report of some lately come from ye Illenois, who met with ym on their way here, we are afraid that their design was to assist in plundering of some of the trading boats; and that if any such thing should be committed or effected by or with ye assistance of any belonging to us, that it was contrary to the principles and intentions of ye generality of people here; as we *detest* and abhor such practices, and that we would endeavor for ye future to prevent any such proceedings.

Which information and conduct of Mr. Malloy was unanimously approved and acceded to by the Committee.

On motion made, Resolved & agreed by this Committee that from and after the 6th of May 1783, no person or inhabitant of this settlement shall trade, traffick or barter with any Indians, nor resort unto them on ye other side of ye Ohio or ye dividing ridge between Tennessee and Cumberland waters, nor go down these Western waters upon pretence of trading to ye Illenois or elsewhere,—without permission first had and obtained of the Committee; and likewise give Bond with approved security, in any sum at ye discretion of ye Committee, payable to ye Chairman thereof and his successor as such, conditioning that their conduct shall not directly or indirectly, in any wise prejudice the interests of this our settlement."

And again at the first Session of the Court of Quarter Sessions (when fully organized) January, 1784, proceedings of the following nature took place.

"On motion made to the Court concerning allegations against James Montgomery as an aider and abettor in the treasonable piratical proceedings carried on in the Mississippi against Spaniards it is the opinion of the Court that the said Montgomery be holden in security in the sum of £150 for his appearance at the next Court."

He gave Bond, and we believe, fled. Another individual was somewhat implicated, but producing creditable letters; was acquitted.

I make these notes here to show the true and earnest zeal of the leaders in the Cumberland settlement to preserve amity with their neighbors, and to prevent any act of robbery & wrong being committed by those of their community.

1850.

A. W. PUTNAM.

[The following letter addressed to Gen. Robertson by Mons. Cruzat, the Commandant at St. Louis, is in reply to a letter written by Gen. Robertson, disclaiming participation in the depredations of "Colbert and his gang of pirates." The original is in French. A translation has been published in Putnam's "History of Middle Tennessee," from which the translation below differs in a few immaterial points.]

Monsieur:

I have had the honor to receive your letter by which you evidence to me the pain you experience from the hostilities & robberies that Colbert & his people have committed upon the Spaniard on the Mississippi & that if you had certain proofs by which the slaves & other effects could be identified, you repeat you would endeavor if possible to have them returned & that you would seize them as property justly to be restored to your allies—Such a proceeding on your parts so analogous to the just idea that the Spaniards have always had of the Equity of the American States proves to me Sir, that not only the people of Cumberland have not co-operated with those brigands; but that they are very sensible to all that humanity has suffered from the evils which we have sustained from those vagabonds—In consequence I thank you Sir, for the information which you have had the complaisance to give me, that two negroes the one taken at Mattatock & the other on the Arkansas are with the Chicachas in the hands of the whites & that if you knew their masters

you would undertake to withdraw them from the Indians but it is impossible for me to procure for you the proof because Colbert & his people are scattered into several bands & are carrying on a war by robbery & pillage every where & has so large a number of persons, that the proofs of property served every difficulty & motive in the contest between those who have been the victims of those attentions—Very grateful for the thanks of yourself & the people of the Cumberland for the answer which I gave to the Indians on our part who had come to demand of us land to establish themselves, I assure you Sir, as on this occasion so in all other cases we act to maintain the friendship, the union, the good correspondence established between our two nations, that I shall listen to no plans, which would injure my honor or my duty or the pacific intentions of my sovereign & if in the country under my command I can be useful to you & to those who may merit your recommendations—I declare to you that I shall exercise my utmost zeal to convince you of the gratitude & high consideration in which I have the honor to be, Sir, Your very humble & very obedient

Servant,

FRAN^{co} CRUZAT.

St. Louis in Illinois,

4th Nov., 1784.

To Col. James Robertson, Cumberland.

[The following letter bears no date. It is in the handwriting of Gen. Robertson, and is in some places nearly illegible. It must have been written in the year 1787.]

Brothers:

I hear you are settling on the Malissippi where I wish you to live and enjoy peace, provided your young men do not lose their senses and distress our country, as that will compell us to retaliate; which will be a great prejudice to your nation and us; but I hope we shall

think more of our children. We will be very particular in doing you no harm and we hope you will caution your young people, as we may live brothers. The Chickasaws tell us you wish to be friends to us. We desire to be friends with all the Red people and to make no encroachment on any, war has come this two years past from towards the Mussel shoals. We thought it might only be some rogues and that they would stop, but we were obliged to go against a Cherokee Town that talked two tongues, as they said some were for peace and we tracked others from our country, that had killed our people and had their scalps then in the town; if any good people suffered, they may blame themselves for it, as we could not tell the bad from the good. I never would keep company with any persons that would kill my friends. We are sorry that some French were so imprudent as to put themselves among our enemies, and suffered before we knew who they were. It was not because they were French. We love them as ourselves. We know they are a good people. Had it been Americans, it would have been the same case: we agree all that country belongs to the Red people and that if they let us alone in ours we will not interrupt them in theirs: they may have what traders they please and we should all be friends. Capt. Dickerson sent me word he would come and see me, I should be fond to have a talk with him. I am, Your friend and Brother,

JAMES ROBERTSON.

*To the Delewares & _____**

[The following letter is addressed to Gen. Robertson by his personal friend, Mr. Thomas Purson, and relates to immigration, land surveys, and personal matters.]

GOSHEN, 23th May 1787.

Colo. Since I saw you last I have been very well until about four weeks past, I am now very unwell & un-

*Illegible.

less I mend soon I expect I shall scarcely ever see you again. Should I mend I fully intend to be with you in the West Assembly we will then do the best we can to open the land office once more & Grant out all the Western Country leave Congress no further hopes of obtaining it from us to whom it justly belongs that is to say the state. If God spares me next Spring I shall be with you both in your own New Country. I am clear you must soon be a separate State for which you will have my hearty Concurrence as soon as you can act for yourselves & in the meantime we will aid you against your enemies & support you to the utmost of our powers as you are a part of ourselves & have conducted yourselves as Brothers & friends. Since you emigrated and explored that valuable Country in which you are now resident, our Deligates who were elected to goe forward to form a federal Constitution or goe forward what they are to do we know not but as we have some very good men they will not injure us I hope & what they do will be laid before the Next Genl assembly for their approbation in that case I hope we shall not be injured.

Pray Genl, any part of my land yet not surveyed or returned I hope and trust you will cause the Surveyors to make return of as soon as possible. I have never as yet got more than 6 or 7 grants upon any of my Surveys nor are they by the Surveyors yet returned as I can find out by the Surety. I heard last fall that some Surveyer in Davidson County did survey on Water or Red River or poison Creek a part of lands for ———, Surveyed for some person & that his answer was I had land enough. I expect that the person who had part of this then surveyed will endeavor to git his Grant before I git mine, in that case he may think himself safe but he may rely upon it I shall shurely stick by his ribs & If I knew the surveyor I would attack Instantly, be him who he will notwithstanding he is at such a distance, my own I mean to have & not anothers. If I am spared to see you both,

lie assured I shall make you ample amends for your services in my favor.

I am Genl with the Greatest Esteem
Your affectionate servant,
THOS. PURSON.

*To Messrs. James Robertson,
W. Phillip Alston.*

[The following letter has no address or signature. It is supposed to have been the copy which Gen. Robertson retained of a letter written to Mons. Cruzat at St. Louis, in explanation of the destruction of the Indian town of Coldwater, (now Tuscumbia, Ala). On this occasion several Frenchmen were killed, and some French merchandize captured. The manuscript is in Gen. Robertson's handwriting, and was evidently written in 1787.]

Sir:

For some years past a trade has been carried on by some Frenchmen from Wabash to the Indians on the Tennessee. I've been told that this trade was formerly managed by a Mr. Veiz—and while he practised it those Indians were peaceable to us. But for two or three years past those Indians have been extremely inimical to us, at all seasons killing our men, women & children, and stealing our horses. I have it also from such authority that I must believe it, that those Indians were excited to war against us by those Traders' suggestions; both in advising them to war and in giving them goods for so doing. My authority for this is from the Chickasaws who tell me that they have been offered goods by the traders if they would go to war against us, and one John Rogers told me he saw a Creek fellow have on a pair of arm bands which that fellow said were given to him by the French Traders for going to war against us. Their incursions upon us this spring have been more severe than usual, and I determined to distress them.

For this purpose I took out a party of the Militia of this County, followed the tracks of one of their scalping

parties who had just been doing murder here, and followed them to a Town on the Tennessee at the mouth of Cold water destroyed the Town and killed I suppose about 20 of the Indians. The scalps of two of our men who they had lately murdered were in the Town. Unfortunately for some of the French they had been imprudent enough to put themselves along with the Indians in the action and some few of them fell. From that place I sent a party around to this river by water. In the Tennessee they found five Frenchmen with two boats having goods to trade with those very Indians. The Commander of the party took the boats with the men and brought them around into this river and gave them then their choice to come up to the settlement and stand trial for what they had done, thereby to try to regain their goods—or else they might go home at once without their goods. They chose the latter. The taking these boats was without my knowledge and approbation. I am now endeavoring to collect the property which was in them together, and would thank you to notify these men that if they can make it appear they were not guilty of a breach of the laws, and did not intend to furnish our enemies with powder, lead and other goods for our destruction—on applying here they may get their property again.

I am very sorry that necessity has driven us to take the measures we did of destroying the Indians. If those Indians would be peaceable we should never think of depriving them of any trade they can procure. But while they continue at war, any Traders who furnish them with arms and ammunition, will render themselves very insecure.

[The following letter has given occasion to severe and undeserved criticisms against Gen. Robertson. Yet it was a wise piece of diplomacy, and fully justified by the circumstances.] [See Editorial notes.]

NASHVILLE, August 3d, 1788.

Sir:

I received your favors by Messrs. Hoggatt & Ewing which have given great satisfaction to the country in general. I transmitted copies to Governor Caswell and have since seen them published in the *Kentucky Gazette*.

The Indians still continue their incursions in some measure tho' trifling to what we experienced in the Spring. I imagine it must be Cherokees or some out-lying Creeks who are not acquainted with your orders; Colo. Anthony Bledsoe was killed by a small party about two weeks ago.

It is reported that the inhabitants of Holston and the Cherokees are at war but we have not received any account that may be depended on, nor whether you and the Georgians are likely to terminate your dispute.

From Mr. Hoggatt's Account we have expected some of the Creeks in from you but none have yet arrived. I have provided a gun which Mr. Hoggatt thinks will please you. I have caused a deed for a lot in Nashville to be recorded in your name, and beg you will let me know whether you will accept of a tract or two of land in our young Country. I could say much to you respecting this same Country but am fully sensible you are better able to judge what may take place in a few years than myself. In all probability we cannot long remain in our present state, and if the British or any commercial nation who may be in possession of the mouth of the Mississippi would furnish us with trade, and receive our produce there cannot be a doubt but the people on the west side the Apalachian mountains will open their eyes to their real interest. I should be very happy to hear your sentiment of this matter.

Myself and the Inhabitants of this Country return you our most grateful thanks for your very polite treatment of Messrs. Hoggatt and Ewing and shall always be happy to render you any services in our power.

I hope you will honor me with a correspondence and shall do myself the pleasure of writing by every opportunity.

I am Sir,

with the greatest Esteem

Your most Obed. Servt.

JAMES ROBERTSON.

*To Hon. Alexander McGillivray.
Creek Nation.*

[The following letter is in Gen. Robertson's handwriting. The date is illegible. It was written three days after the murder of his son by the Indians. It is addressed to Alexander McGillivray, the treacherous Creek Chief. Portions of this letter are eloquent and pathetic.]

NASHVILLE ON CUMBERLAND.

I am not able to express my pain and surprise when I view the hostile operations carried on against the inhabitants of this country. I am well assured from the earliest intelligence I rec'd from you that every precaution has been used to prevent anything that might incur your displeasure or in any manner irritate the minds of your people. In the letter which I first had the pleasure of receiving from you, you loudly complained of the ill treatment you received from the Americans together with their incroachments on your territories which had compelled you to take protection under the Court of Spain, a circumstance which gave me much uneasiness. But those aggressors live in a different State and are governed by different laws, consequently are not culpable for their misconduct; nor had we the most distant idea by our making settlement here, that we should incur the displeasure of any tribe of Indians, as we only claim those lands that the Cherokees in the year 1775 ceded to Colonel Henderson & Company in open treaty, who paid them a valuable consideration for the same.

The small expedition which necessity compelled me to carry on against a people living below the Mussel

Shoals, I ever flattered myself would meet with your approval. As we were repeatedly informed by the Cherokees, also by Mr. Curnal a half breed from the Creek nation, that those were a refractory people who refused to be governed by the laws or customs of other nations. We should have deputed two men agreeable to your requisition to lot in convention with the warriors of the Creek nation in April last, but in my absence to the grand council of this State, an unhappy dispute arose between some unguarded persons and some of the Cherokees which rendered a passage from this country to yours very precarious. I have just returned from the Assembly and find that honorable body together with the Continental Congress disposed to see the strictest justice done to all the Red people and as much disposed to see that perpetrations on either side should not pass with impunity. The information I received from Doct. White gave me pleasure, as he informed our Assembly that he had in the most public manner declared a suspension of hostilities for all people but those who are daily endeavoring to take your last and natural right. Since Colonel Bledsoe and myself wrote you I had the mortification to see one of my children killed and uncommonly massacred. From my earliest youth, I have endeavored to arm myself with a sufficient share of fortitude to meet anything that nature might have intended me, but to see an innocent child so uncommonly massacred by people who ought to have both sense and bravery, has in a measure unmanned me. There was a neighbor's child at the same time taken prisoner—a boy about thirteen years old.

I am persuaded that humanity will induce you to extend your influence through the Creek nation and adopt every means in your power, to protect the boy and send him by Mr. Hackett, as he will be of but little service to the person who captured him when compared to the consolation it must give a fond father & a tender mother whose grief is at this time beyond expression, and the only thing

that seems to give relief is that you will adopt every measure in your power for the safety and preservation of the boy.

I have for many years past exerted myself on every occasion to see the strictest justice done to all the Red people. Last fall, when a formidable army was about to march to lay the Cherokee nation desolate, from information I received from Doct. White together with the friendly dispositions which the Cherokees had declared, with the utmost difficulty I prevented their march, by which means I incurred the displeasure of my best friends. Since that time the treatment which I have received from that kind of people is very inadequate to the services I have rendered them. Last summer they killed an affectionate brother and three days ago an innocent child, but let me hope, Sir, for the future, you will put a stop to depredations of the kind, and if disorderly persons will act repugnant to your orders that you will bring them to condign punishment. This is my own determination, for if measures of this kind are not immediately adopted, common sense declares to the world that we must shortly be embroiled in a war. It is a matter of no reflection to a brave man to see a father, a son, or a brother fall on the field of action, but it is a serious and melancholy incident to see a helpless woman or an innocent child tomahawked in their own houses. Inclosed I send you a transcript of a late Law by which you will find we are enabled to bring to immediate punishment such refractory persons. I do not consider the _____ of a general value. You will, I hope ultimately _____ that nation _____ this settlement or _____

I am Sir, with much esteem

Your very humble

& obedient servant,

JAMES ROBERTSON.

*To Hon. Alexander McGillivray,
Chief of Creek Nation.*

[McGillivray's Reply to the foregoing letter.]

LITTLE TALLASSIE 1st December, 1788.

Sir:

I received a letter from you brought here from the Chactaws & and left there by Bob Thompson & I have lately received amounts from Gen'l Pickens & Colo. Moore, Commissioners from Virginia to treat with the Cherokees who sent me a proclamation issued by Congress for uniting to the Cherokees the land encroached upon since the Treaty of Napoleon in 85 and which extended near to Chotee. The Cherokees had asked assistance which we gave them the past fall but since I have seen the proclamation I've spoke to the Little Turkey, chief of the Cherokees & the Bloody Fellow who appears to be satisfied with the intentions of Congress to right them & have promised to refrain from all hostilities in general against the whites. The leader called Dragging Canoe was on the point of setting out with above one hundred warriors but is stopt on this affair.

As to our affairs with Georgia, I do not yet know how Congress have decided but am given to understand that the Superintendent has received instructions concerning it which he has not communicated to me, tho' I expect that we shall have the motive which they have given the Cherokees to put an end to our wars. Meantime, I will continue to persist in measures most proper to keep off the Nation from further hostilities against Cumberland, & except a few mares & colts brought in by hunters, there has been no other mischief done your settlement this past summer & fall by my people.

The question which you put to me concerning any prospect of changes of Government in the Countries bordering on us I cannot say anything of any such matter likely to take place. Some reports of such a thing had gone abroad, & it rose from the appearance of a man among us offering assistance to our war, but as I expect the coming spring will terminate our dispute with Geor-

gia agreeable to our desires, nothing further will proceed & if it should not be so, there will be another kind of war than that which we have hitherto carried on.

I remain with great regard,

Your most obed. servant,

ALEX. MCGILLIVRAY.

[The following General Order, bound with the letters, gives an idea of the half agricultural, half military life of the Cumberland settlers.]

GEN'L ORDERS, April 5th 1789.

The repeated depredations of a savage enemy makes it necessary to put the District in the best posture of defence our situation will admit of. The Commanding officers of the counties in the district are therefore call'd upon to have the militia of their respective counties in readiness to march at a minute's notice. Barely to give orders to their subaltern officers to have their soldiers in this readiness is really insufficient. Every officer must be vigilant and attentive that every order is executed properly. The Militia Law must be strictly enforced. The subalterns who give notice to the militia of their respective Companies of the time and place of rendezvous are to be particular to notify every man; by which means delinquents will be barred from the plea of the want of notice and at court martial will be fin'd accordingly.

Frequent private musters should be call'd, and among other requisites, enquire into the state of the arms, and quantity of ammunition each soldier has ready for service. The law requires each non-commissioned officer and private to have a good serviceable gun with nine charges of powder and ball, a spare flint, a worm and picker &c, all in good order. The feelings of Nature must surely be roused at the many horrid murders committed on the frontier—let us govern these feelings by reason which dictates that these necessary orders for our defence should

be strictly executed—and with determined resolution, let us follow every party of savages which annoy us, whose trail can be followed—by often doing this, many may be overtaken and made examples of to deter others from doing us mischief.

By order of the Gen'l,
H. BRADFORD.

[The date of the following letter has been questioned. Putnam and Roosevelt, both give the date as 1783. Mr. Cross, in arranging the manuscripts, places this letter as of 1789, which is undoubtedly the correct date. The heading of the letter, the expression "of 29th January last" in the first paragraph, and the signature, are facsimiles obtained by photographic process.]

(See Editorial Notes.)

New Orleans the 20.th April 1789

Sir:

I received yours *of 29th January last*, and am highly pleased in seeing the good intention of the people of that District, and knowing the falsehood of the report we heard they are willing to attack this Province. You ought to make the same account of the news you had that the Indians have been excited in their Province against you, since I wrote quite the contrary at different times to Alexander McGillivray to induce him to make peace, & lastly he answered me that he gave his word to the Governor of North Carolina that the Creeks would not trouble again those settlements: notwithstanding after the letter I received from you, and other from Brigadier General Daniel Smith, Esqr., I will writte to him, engaging him to be not more troublesome to you.

I have not any connexion with Cheroquis & Mascuten, but as they go now an then to the Illinois, I will give ad-

vice to that Commander to induce them to be quiet: in respect to the former, in the Month of May of last year, they asked the permission of settling themselves on the west side of Mississippi River, which is granted and they act accordingly, you plainly see you will be quite free from their incursions.

I will give you the passport you asked for your son-in-law, & I will be highly pleased with his coming down to settle in this Province, & much more if you and your family should come along with him, since I can assure you that you will find here your welfare, without being either molested on religious matters or paying any duty, & with the circumstance of finding allwais market for your crops, which makes every one of the planters settled at Natchez, or elsewhere to improve every day, much more so than if they were to purchase the Lands, as they are granted gratis.

I wish to be useful to you being with regard,

Sir,

Your most ob.^d &c. Servant

Artavan allison

Dup^{te}.

Colonel James Robertson, Esqr.

[The following is a friendly and business letter, but mentions politics, and announces a meeting to be held with the Cherokees and Chickamaugas for the purpose of making a treaty.]

HILLSBORO, March 10th, 1789.

Sir,

I make no doubt but that before this day you have safely arrived to your family; you fatigue thro' the mountains in so inclement a season must have been intolerable. I have the pleasure to inform you with certainty that a treaty is to be held on the 25th of May next, at the Upper Warford on French Broad, with the Cherokee and

Chicamogg Indians, which if well conducted, I hope will render a singular service to your Country; when the treaty will be held with the Creeks, neither time nor place is fixed. I must request the favor of you to give me the amount of my negroes with McShaw, to whom I have wrote on that occasion, I will also be much obliged to you for some information about Colo. Moore's Negroes. Have you seen Mrs. Bledsoe and gotten from her the papers I gave you a memo: to procure from her. My brother is very much pleased that you have undertaken his business in that Country, resting satisfied that the utmost justice will be done him. I shall be very happy to receive a letter at any time from you and must request the particular favor to be informed of the politics and other occurrancies of your Country, whether the Indians are more friendly, or whether they continue hostilities. We have no foriegn News, therefore can relate nothing from abroad. I am much pleased to find that Judge McNairy gives such general satisfaction in that important office he has the honor to fill. Please to make my compliments to Mrs. Robertson and all my other acquaintances. I am Dear Colo.,

Your obedt. Servt., P. LOTON.

*To Jas. Robertson, Esq.,
Cumberland.*

[The following letter announces that the President (Washington) had appointed a Committee to treat with the Indians, and discusses the peculiar position of North Carolina, which State had not, at that time, joined the Union.]

NEW YORK, 31st August, 1789.

Dear Sir:

Commissioners are just appointed by the President of the United States to treat with the Southern Indians, they are to sail in a few days for Georgia with a guard of Continental Soldiers. Genl. Lincoln, Cyrus Griffen &

Colo. Humphries, formerly one of General Washington's Aids, are appointed. It is conceived that Genl. Lincoln having commanded in the Southern States being somewhat lamed by a wound he received in an Action with Burgoine, & having a general Character of a soldier & Statesman will impress the Southern Indians with an idea that trifling is at an end, and that they must seriously treat and faithfully abide by what they promise. It is possible that the troops will be left as a barrier on the frontier to see that neither parties break the treaty. This I believe is the beginning of general Peace and security against the Indians. North Carolina not being in the Union, the Commissioners will be most hampered in any negotiations with the Cherokees. I have however handed them a long Memorial representing the interest of our State and praying that in all negotiations they would have an eye on the safety of our Citizens and not encourage the Indians to expect the removal of any settlers off the lands they hold. Though we are not in the Union, our State is respected and gentlemen in public office do me the favor in general to suppose that I am pretty well acquainted with the interest of my constituents. I hope the representations I have made will be of use to our Western Friends, and I may safely venture to say that no man living is more constantly anxious to secure the inhabitants of Davidson & the adjoining Counties than myself.

Genl. Morgan continues to try to persuade People to remove themselves across the Mississippi and become Spanish Subjects on lands for which they can have no title, and in a place where in 24 hours they may be compelled to become Roman Catholics or leave the Country. Such a settlement if it should be made, may do you some good, it can do you no Harm. If you have seen any News Papers you may have observed that Congress Have established a Post on the Ohio, not with much hope as you must be assured, of collecting many Duties on Goods

brought up the Mississippi, but to part fair and let Spain see that the new Government is resolved to maintain its Claim to the Navigation of that River. This you see augurs well. Since the resolve I had the good fortune to obtain in Congress on the last Summer in favor of the Mississippi Claim, no Doubts have ever been hinted on that subject. As I hold a public office under the State, I could not offer myself to represent our County or Town in the Assembly, I shall nevertheless have an agent to attend some part of the time while the Assembly is sitting. Hope for the pleasure of seeing you there. I am,

Dear Sir, Your most obedt. servt.

I. H. WILLIAMSON.

Colo. Robertson.

P. S. Be so good as to present my respect to my Aunt Davidson. I would have written to her but have nothing to say that is interesting more than you can inform her. Be pleased also to present my respects to your Brother, to Major Hays and to Mr. Robert Ewing. Ask Mr. Ewing whether he has ever been able to cover any land under my Warrant of which I requested him to take the Charge. I shall be glad to hear that Mrs. Davidson is in a good way to provide for her Small Family.

To Col. James Robertson.

GENEALOGICAL NOTES.

YARDLEY, OR YEARDLEY.

Three emigrants of this old English family settled in America at different dates, viz:

1. Sir George Yardley, in Virginia, 1610.
2. William Yardley, in Pennsylvania, 1682.
3. Thomas Yardley, in Pennsylvania, 1704.

Relatives of the family, not bearing the name of Yardley, were also among the early settlers.

In 1831 Mr. Thomas W. Yardley, of Chicago, Ill., published a handsome volume of 257 pages, giving the pedigree of the Yardley family of County Stafford, England, up to the time of the emigration of Thomas Yardley, and thence following the line of the Pennsylvania emigrants to the present generation.

From this work, which is a model for genealogical style and arrangement, we take the annexed chart, showing the pedigree of the family in England, and also quote several extracts below.

"The first record we have is that of 'William Yardley, L. M.,' a witness to the signing of the first Magna Charta given by John I. to England, dated June 15, 1215. 'The great charter was executed in the presence of many of the clergy and nobles.' It is possible his ancestors first made their appearance in England as followers of William the Conqueror; but, from the time of this invasion to the year 1215, and from this date to 1400, we have not obtained any well-connected trace of the name. From 1400 to 1682, when the emigrant William Yardley came to America, the records found are complete."

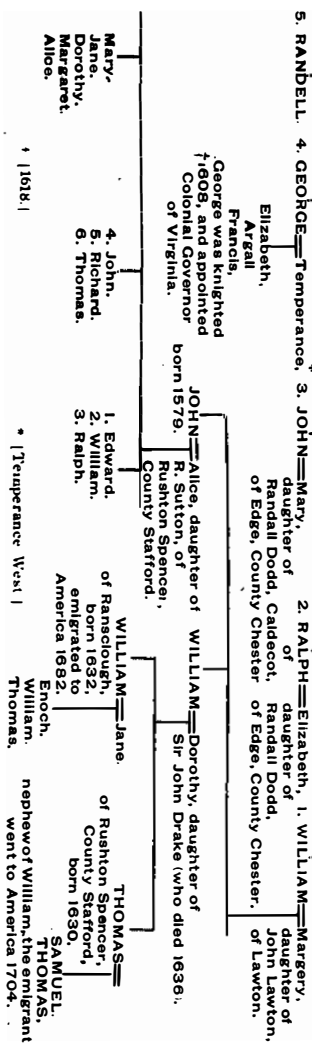
FAMILY OF YARDLEY, COUNTY STAFFORD, ENGLAND.

BRITISH MUSEUM
May, 1881

JOHN YARDLEY=daughter of Marbury,
1402. of Dadesbury.

From Harley Manuscript
in the British Museum, England.
Nos 1077, 1171, 6128

OLIVER YARDLEY, of Yardley, of Killingworth, of Tockens.
contemporary of Henry VI. JOHN, of Yardley, MARGARET, daughter and heir of
JOHN YARDLEY, of Killingworth.
JOHN=Elizabeth, daughter of William Birkes.
of Yardley, County Stafford.
WILLIAM=Elizabeth, daughter of William and Alice Brereton Morton,
living 1583. of Morton, County Chester.



"In the 'Patronymica Britannica' we find the family is spoken of as an ancient one, with residence in Staffordshire, England, and whose heads were called 'lords of Yardley.' Their coat of arms are 'argent, on a chevron azure three garbs or, on a canton gules, a fret or,' Crest, 'a buck, courant, gu. attired or.'"

"In the absence of reliable information previous to the year 1400, we commence with the descendants of John Yardley, of County Stafford, England, who married a daughter of Marburry, of Dadesburry, and had one son."

It will be seen from the annexed chart,* that William Yardley, of County Stafford, married Elizabeth, daughter of William and Alice Brererton Morton, County Chester, and had five sons—William, Ralph, John, George, and Randell. Of these, the fourth son, George, was the Virginia emigrant, and the eldest son, William, was the ancestor of the two Pennsylvania emigrants. In another place, Mr. Yardley states that there were seven children, but does not give the names of the other two, and follows the line of the eldest son, William.

William Yardley, the father, or his wife must have had a sister, who married a Yerwood. This is inferred from the fact that Richard Yerwood, the step-father of John Harvard, the founder of Harvard University, was first cousin to Sir George Yardley. (See "Genesis of United States.")

1. SIR GEORGE YARDLEY, VIRGINIA, 1610, was a captain in the British army, served with distinction in Holland; sailed for America June, 1609, was wrecked on the Bermuda Isles, landed at Jamestown, May, 1610, was a subscriber to the Virginia Company, and a member of the Council till 1616. Was acting Governor from April, 1616, to May, 1617. About that time married Temperance West. Sailed for England in 1618, and represented the cause of the colonists to the Virginia Company of London. Was elected by the Company as Governor of

*See page 93.

Virginia, and was knighted by King James I., 1618. Entered on office as Governor of Virginia, April 19, 1619. In June, 1619, issued orders for the election of "*Burgesses*" or *delegates* to the First Legislative Assembly, known as "*The House of Burgesses.*" Summoned this Assembly to meet at Jamestown, July 30, 1619. Served as Governor until Nov. 18, 1621. Continued as a member of the Council until April 19, 1626, the seventh anniversary of his first appointment, when he was appointed, for the second time, Governor of Virginia. Died in office in November, 1627. His administration was popular, and he was beloved by the colonists. In a letter to the Privy Council announcing his death, the colonists paid a tribute to his virtues.*

2. WILLIAM YARDLEY, PENNSYLVANIA, 1682. Was the grandson of William Yardley, the eldest brother of Sir George Yardley, the Virginia emigrant. He came to America with his wife, Jane, and his servant, Andrew Heath "in the good ship *Friend's Adventure*," and reached the Delaware River, July 20th, 1682. He settled in Bucks County, Pa., near the present town of Yardley, on a tract of five hundred acres of land, now called Prospect Farm, which was purchased from William Penn for £10. "He represented Bucks County in the first Colonial Assembly, and was afterwards an active member of the Provincial Council."

3. THOMAS YARDLEY, PENNSYLVANIA, 1704. Was the nephew of William Yardley, the emigrant. It seems that an epidemic of smallpox had been fatal to William Yardley's family. "William Yardley, the emigrant, his wife, children, and grandchildren all being dead, his property in America reverted to his heirs-at-law in England, who were his brother Thomas and nephew Samuel. In 1704 we find Thomas, the younger son of Thomas, and brother of Samuel, in Philadelphia, Pa., with power of

*Sir George Yardley's descendants will be given in a future issue.

attorney from his father and brother for the sale of the property and settlement of the estate of William, the emigrant, deceased. Prospect Farm was sold to Joseph Janney for three hundred and fifty pounds, current money of Pennsylvania."

About one month later, Thomas Yardley purchased the same farm from Joseph Janney for the same consideration. He married Ann, daughter of William Biles, of Pennsbury, Bucks County, Pa., and had ten children. The descendants of Thomas Yardley, have now become numerous, and are found in various States. A full account of them is given in the excellent work of Mr. Thomas W. Yardley. This book is valuable for the information it contains; and in point of style and arrangement is a model for genealogical writing. It is for sale by Sower, Potts & Co., 330 Market Street, Philadelphia.

ENGLISH DOCUMENTS RELATING TO YARDLEY.

[The following extracts from English records were obtained through the researches of Miss Mary Winder Garrett, of Williamsburg, Virginia, one of the descendants of Sir George Yardley.]

COLONIAL PAPERS VOL. 4, DOCUMENT No 34.

Right Hon^{ble}:

Vppon soe greate an alteracon happening in this Colony as ye death of our Gournor, Sir George Yearly, wee thought ye part of our humble dutye in our Service to his Matie by the first departure of these Shipps to certifie ye same vnto yor Lordppps, by whose imediate cares & extraordinary favours, wee and ye whole plantacon receave our supportation & subsistance, And therfore wee hope y^t ye losse sustayned by his decease as being a maine pillar of this our building & therby a weakenig to ye whole bodye will in good tyme be repaired, both in ye full settling of our affairs in many points vncertaine & ambiguous, and by a supply of Soldiours or some other meanes from his

Maties Royall hand moued and inclined toward vs by yor mediations & Counsell; Wee haue according to our Instructions in his Maties Comission by ye maior part of ye Counsell elected, and chosen Capt: ffrancis West to succeed in ye place of ye deceased Gournor, uppon whom as ye burden and Charge therof will lye no easier then ye full waight of soe eminent a place doth euery way require, soe ye present difficultyes & doubtfull occurrences of ye Colony increasing dayly uppon vs, add a heavier presse vnto ye same; there neither remaineing now any present meanes to ye perticuler place or any other as heretofore to inable him thervnto, neither can ye publique charges in ye tymes of warr, alwayes incident and necessary, be defrayed wth out a greater supply releiveing us, then our inabilities and fortunes can beare: And therfore wee doe most humbly desire a fauorable Construction from yor Lordpps in ye superintending of our affaires, if any thing appeare lesse, then others perhapps in their expectations might foresee,

[Remainder of letter concerns the Tobacco Contract.]

And soe recomending yor Lordpps to ye protection of ye Almightye, wee humbly take our leaues and rest, & remaine

yor Lordpps very humble
Servants,
FRANS: WEST

JAMES CITY the 20th
of december 1627.

JOHN POTT
ROGER SMYTH
SAM: MATHEWS
WILLM CLAYBOURNE
WILLIAM TUCKER

[Endorsed]

*To the Right hon^{ble} the
Lords of his Maties
most hon^{ble} privie
Councell.*

*Decembr 20th 1627
ffrom the Gouvernor an
Councell in Virginea.
(Sic.)*

SIR GEORGE YARDLEY'S WILL.

P C C RIDLEY 9.

In the name of God Amen. The Twelke daie of October One thousand Six hundred twenty-Seaven. I Sir George Yardley, &c., weake and sicke in body yet in perfect minde and memory God bee praised, doe make this my last will and testament in manner and forme followinge. ffirst and principally I render and comend my soule into the hands of allmightie god my Creator and Redeemer hoping assuredly through the only merritts of Jesus Christ my Saviour to bee made ptaker of euerlasting life And I comend my body to the Earth whereof it was made and formed, in full hope and assurance of the resurrection of the Same at the last daie of Judgment And as concerning my temporall estate wch the Lord of his great goodnes hath bestowed on me I giue devise and bequeath the Same in manner followinge And as touching my wife Temporance, I give and bequeath unto her all and euy pte & pcell of all such houshold stuffe plate linen woollen or any other goods moueable or imouable of what nature or quality soeuer as to me are belonging and wch now at the tyme of the date hereof are beinge & remayneing wthin this house in James Citty wherein I now dwell. Item as touching and concerninge all the rest of my whole estate consisting of goods debts chattles Servants negars Castle or any other thinge or things comoditye or profitts whatsoeuer to me belonging and appteyning either here in this Cuntry of Virginia in England or elsewhere togeather wth my plantacon of one thousand acres of land at Stanly in Warwicke River, my will and desire is that the Same be all and euery pte and percell thereof sold to the best advantage for Tobacco and the Same to bee transported as soone as maie bee either this yeare or the next as my Said wife Shale finde occasion into England and there to bee Sold and turned into mony, the wch

money together wth all such mony or moneyes as is or shalbe due unto me in England to be ioyned and put into one full and totall stocke or Some and the Same to be devided into three Equall parts or portions whereof one Equal parte thereof I giue and bequeathe unto my said wife, one other Equall parte thereof unto my Eldest Son Yeardley and the other Equall parte thereof unto Sonne Francis Yeardley and Elizabeth Yeardley bee Equally devided betwixt them both And if it fortune the Said Argoll to die before he come to the of one and twentie yeares then the Said Francis and Elizabeth to enioye his the Said Argolls part and Equally betweene them but if otherwise it shall god either the Said Francis or Elizabeth to depart life before the age of one and twenty yeares Then Will is that the said Argoll shall Solely Enioye his her part or porcon, And if in case it should Soe all of them to dye as aforesaid, Then my will is that said wife shall have and Enioye all their said parts & porcons And my will is that my said sonne Argoll have & hold all such lands & deindents of lands my plantacon before menconed) in any Sort or by right or title to me belonging or appertayneing here in Virginia or elsewhere & to have & to hold Same to him & his heires for evr And I will & my minde and desire further is that my said wife Shall have the Custody & Keeping of the Said Argoll & Francis & of their porcons untill they bee of the age of one & twenty yeares or untill the tyme of her marriage, desiring that great care maie be had for the govrnance, educacon & bringing upp of the Said Children in the feare of god (of wch I make noe doubt) And if it shall soe happen that my Said wife shall marry after my decease then my will & intent is that She doe first finde sufficient security to be bound in the double value of the Said Childrens portions unto such as bee of my Kindred in England for the true payment of the Said porcons accordingly as they shalbe due

And lastly I make & ordeyne my said wife full & sole Executrix of this my last will & Testament In witnes whereof I have hereunto sett my hand & Seale the daie & yeare first aboue written

GEORGE YARDLEY.

SEALE This will was read openly by the Said Said Sr George Yeardley whereunto he subscribed & sealed it & declared the Same to bee his last will & testament in ye presence of us Abraham Peirseey Susanna Hall William Clayborne Scr.

Bee it knowne that whereas I Sr George Yardley Knight have made my last will & testament in writing beareinge date the 12th daie of October &c. And by the Same have given unto my Son Argoll Yeardley all such lands & deindents as are belonging unto mee in this Colony of Virginia (excepting my plantacon at Stanley) as by the Same do the further appeare. Now forasmuch as I have changed my minde touching those lands & houses to me apperteyning & being & situate within the Island of James Citty, my will now is that my wife Shall make sale of all the said lands & houses wth in the Island of James Citty to the best advantage & profit & the Same to be added unto the whole some of my Estate as is in my said will devised And for & concerninge all other things in my said will menconed. I doe by this present Codicill confirme & Ratifie the Said Will In witness whereof to this present Codicill I have subscribed my name the 29th of October 1627 George Yeardley signed in psence of me William Claybourne.

14 Feb. 1628 [9] Commn granted to Ralph Yardley brother of decd to admr goods &c. according to effect of above will & codicil during the minority of Elizth Argoll & Francis Yardley, children of the decd, on account of the death of Temperance Yardley, widow of the decd & Ex^r named in the will; before She had taken upon herself the duties of execution Lts of Admon having already been granted to said Ralph Yard-

ley in March* 1627, on acct of the absence of S^d Temperance, the widow, then dwelling in Virginia.

(*P. C. C. Admon Act-Book. 1628-30*) fol. 73 (a)

TEMPERANCE YARDLEY ALS WEST,

Decd abroad. 14th February 1628,9, commission issued to Ralph Yardley, uncle of Elizabeth Yardley, Argall Yardley & Francis Yardley, natural & legitimate children of Dame Temperance Yardley als West, late of parts beyond the seas, widow, decd, to administer the goods of decd, during minority of the aforesaid Elizabeth, Argall, & Francis Yardley.

Inventory of decd & also of Sir George Yardley, her husband exhibited 28th Inst-

Correspondents are now at work, preparing for this magazine genealogical statistics of the Sevier, Robertson, Tipton, Polk, and Grundy families. Work of this character has been so much neglected in the South, that the progress is necessarily slow.

It is hoped to enlist the services of contributors who are competent and willing to undergo the labor of making researches to establish the pedigrees of other families who are part of the history of Tennessee, and of the South.

What we want, is reliable information, a record and not a treatise. Personal incidents, public services, official positions may be stated briefly. Nothing should be stated as certain but that which rests on demonstration. Inferences or suppositions should be either discarded, or stated as doubtful.

In this work we invite the co-operation of competent investigators and writers. We are rapidly losing the

* [There must be some mistake, Sir George Yardley died November, 1627.]

traces of the early settlers. Their families are becoming scattered, and are losing sight of the family tie.

To honor the memory of our ancestors and to preserve the trace of family connections, is a duty which the present owes alike to the past and to the future. To inscribe within the circle of family and friends, the names and lives of noble men and women, which history has not found room to record, is a duty of personal affection, more tender and sacred than the duty of the historian.

In our young country, our children cannot be addressed with the inspiring words of Napoleon to his soldiers at the battle of the Pyramids: "Forty centuries are looking down on you." Yet, they can be made to feel the sublimity of the sentiment, and their hearts and characters will be ennobled and strengthened by the consciousness of the honorable record of their ancestors and kindred.

EDITORIAL NOTES.

THE MAGAZINE OF AMERICAN HISTORY.

The Tennessee State Teachers' Association and the Public School Officers' Association, the two representative educational bodies of Tennessee, passed resolutions, petitioning the General Assembly of Tennessee to establish in some suitable institution, the Chair of American History. The two Associations appointed Committees to urge the matter upon the General Assembly.

These Committees appeared before the Joint Committee of Education of the last General Assembly which met in Nashville in January 1895. Whereupon, the Joint Committee appointed a sub-committee of which Representative James H. Bate was chairman. This Committee submitted the following report.

REPORT OF SUB-COMMITTEE.

As a suitable preface to the recommendation which your committee present below, and which they earnestly urge the General Assembly to adopt, it may not be out of place to refer to the great store of historical wealth which lies hidden in tradition, in scattered records, in unpublished manuscripts, and in the memories of a few old pioneers who still linger here and there in the beautiful valleys and majestic mountains of Tennessee. It may be truly said that her sons have been grand factors in making the history of this country, but have been too modest to record their own heroism.

We, their posterity, owe it to the memory of our heroic ancestors, to rescue their memories from oblivion. Many of her sons who entered upon the national arena, have performed deeds which will live forever upon the pages of general history; those who have devoted their lives and talents to the service of the State deserve from their own people the preservation of their great deeds.

Besides, the State is interested in preserving the proud history of the achievement of its masses. The people make the State. Shall such events as the Indian wars and King's Mountain be longer ignored? Shall we sit idly by and see our children grow up without ever knowing the great part taken by their ancestors in the Floridian and Mexican wars? Shall they have no instruction in the events and causes which moulded the character and developed the institutions of Tennessee?

Our children should know more than what may be gleaned from the meagre accounts of the school histories about the heroism of the "Rear Guard of the Revolution," which, under Sevier and Shelby, fought at King's Mountain one of the decisive battles of the world, resulting in the subsequent capture of Cornwallis at Yorktown. They should know that John Sevier fought thirty-five battles and was thirty-five times a conqueror; they should know about Andrew Jackson's struggles as a boy, about his noble and patriotic mother, and how she moulded his character to the highest style of citizenship and heroism. They should learn how he secured for the United States, Alabama, Mississippi and Florida, and defeated the veterans of Wellington at New Orleans, and placed on the page of history the most successful administration of the United States.

They should be familiar with the names and deeds of Houston, Coffee, Armstrong, Carroll, Trousdale, Pillow, Polk, Jones, Felix Grundy, John Bell and our long list of heroes and statesmen. Thucydides wrote of Pericles, otherwise the matchless oratory of that princely Athenian would not now survive to charm our age and time. Yet who shall perform a like office for our orators and statesmen?

Take away from the map of the United States all that territory acquired by Tennesseans, Jackson, Polk and Johnson, and the remainder will be "a pent up Utica." Boone's movement to settle Kentucky originated with the settlers of Wautauga, and the purchase of the Transylvania Company was made of the Cherokees upon Tennessee soil.

In Athens, it is said, there was a law making it obligatory upon the States to set up in the public groves and along the highways, statues of her eminent men. The youths of Athens looked to these as an incentive to stimulate them to emulate the actions of her great men. This was an impressive way to teach history, and as a result, Athens became illustrious.

Tennessee should profit by this example. Our schools do much teaching by precept. Let us do some teaching by example; let us, before it is too late, gather the jewels of our history and put them in our own setting. Let us make the precious casket which contains them an object lesson for our children.

There are three things necessary to the greatness and glory of a State. These are: First, to make history; second, to write history, third, to teach history. Our ancestors have made history; our people are still making history. Let us write it and teach it; let us use it as an object lesson to elevate and ennoble our children.

The State is spending over \$2,000,000 for education in the public schools. Is it not wise to spend a small amount to give that education a direction which will be useful and valuable to the State? The thing now most needed in our educational system is to give more attention and judicious direction to the study of American history, and especially to the study of Tennessee history.

In their recent visit to the Peabody Normal College, your committee was strongly impressed when they saw before them more than five hundred intelligent young men and women, of whom over ninety per cent. are Tennesseans, preparing themselves to enter upon the work of teaching. They will go into every part of the South to engage in this noble work. If each of these shall secure a school of fifty pupils, their work will reach annually 25,000 children, and will be widely distributed over the entire South, and especially, will reach every portion of Tennessee. No means can be found which will more rapidly and effectively reach the coming generation.

Examining into the financial management, your committee was struck with the economical and wise administration, and were especially pleased to note that Chancellor Payne, although pressed for money, and with an annual deficit of \$2,000 pending, had decided, on account of the stringency of the times, not to ask for an additional appropriation.

Chancellor Payne makes the following summary of the situation:

1. With the continued growth of the college, and the corresponding increase of expenditures, there will be an annual deficit of \$2,000.

2. If the present appropriation of \$15,000 be continued, and an additional appropriation of \$5,000 per annum be given, I could establish the Chair of American History at \$3,000 and meet the deficit that is accruing at present rate of expenses.

3. If \$10,000 additional per annum is allowed, we could have what is embraced in proposition 2, and add two or three additional teachers to the faculty, and increase the salaries of three or four of our teachers, who are teaching for comparatively small salaries, and who have been offered largely increased salaries elsewhere, and whom we will lose sooner or later, if we do not add something to their present salaries.

In the opinion of the committee there is an opportunity to carry out a plan which has long been urged and cherished by many of the best men in Tennessee, viz: To place the teaching of the history of Tennessee upon a judicious and sure foundation.

Your committee therefore recommend and urge,

1. That the usual appropriation of \$15,000 per annum be given to the Peabody Normal College.

2. That an additional appropriation of \$5,000 per annum be appropriated to the Peabody Normal College, which shall be used as follows: \$2,000 for the general expenses of the college, and \$3,000 for the support of the Chair of American History, to be applied to the salary of the occupant of the chair and to the expenses of original investigation, the accumulation and care of historical material, and the purchase of manuscripts and books; said chair to be devoted to the history of the United States, and of the American continent, and to give especial attention to the history of Tennessee.

BATE,

Chairman, Sub-Committee.

This report was unanimously approved by the Joint Committee, and was reported to the General Assembly and adopted by both Houses.

The recommendations of the Committee were carried into effect by inserting in the general appropriation act, a clause granting to the Peabody Normal College an additional appropriation for the purpose of establishing and maintaining the Chair of American History.

This chair was organized June, 1895, to be devoted to the following objects:

I. To the instruction of students in the History of Tennessee, in the History of the United States, and in the General History of American Nations.

2. To collecting and preserving historical records, and material for history.
3. To pursuing original historical investigations.
4. To historical publication.

THE OBJECTS OF THE MAGAZINE.

This magazine will serve as the medium for disseminating the information obtained through the researches which have been instituted by the Chair of American History, and which will be directed to reviving neglected facts of history, to correcting misrepresentations of historical writers, and to presenting historical facts hitherto unpublished. While the work of this chair will extend to the entire field of United States History, and to the history of the various nations of America, especial attention will be devoted to the rich mine of Tennessee history. In this field the co-operation of the Tennessee Historical Society, and valuable documents in the library of the College will enable the Magazine to offer to its readers much valuable and interesting information *never before published*.

THE ROBERTSON PAPERS.

A collection of the letters and papers of Gen. James Robertson, the Father of Middle Tennessee, bound in manuscript and filling two large volumes, is among the treasures of the College library. These letters contain much valuable historical information, and very few of them have been published. †

GENEALOGY.

Special attention will be devoted to the genealogy of the men and women who have contributed to the development of Tennessee and other states of the Union.

SOUTHERN LITERATURE.

The pages of the magazine will be enlivened by gems of literature which have heretofore lain dormant in manuscript, or have received only local circulation.

OUR CONTRIBUTORS.

Among those who have engaged to contribute articles to the magazine are many of the ablest and best-known writers of the South.

THE TENNESSEE HISTORICAL SOCIETY.

This Society during its many years of existence has accumulated a vast amount of historical material, which lies unpublished and unnoted in its archives.

The following letter from Hon. John M. Lea, President of the Tennessee Historical Society, shows the feeling with which the publication of this magazine is regarded by those interested in the development of historical study in the South.

NASHVILLE, TENN., Sept. 9, 1895.

To the Editor of the American Historical Magazine.

Dear Sir: The establishment of a Professorship of American History in the Peabody Normal College, shows that a step has been taken towards the development of a real university, not to be disparaged hereafter in comparison with Eastern or European institutions of a similar character. Chancellor Payne leads the advance-guard of education in the South. I am particularly pleased that investigation and publication of historical facts form a part of the plan of instruction. There are many interesting manuscripts in the archives of the Tennessee Historical Society which have never been published for want of means—our Society, you know, being a private association supported by a few members. Your magazine will enable the Society to have an avenue for the publication of these manuscripts, of which, be assured, we shall gladly, and with thanks, avail ourselves. We consider the magazine as a help—a great help to us, and we hope quarterly to get the attention of the people through its columns.

JOHN M. LEA,
President Tennessee Historical Society.

*THE LETTER OF ROBERTSON TO MCGILLIVRAY.

Gen. Robertson has been blamed for his correspondence with McGillivray and Miro, and especially for his letter to McGillivray written August 3rd, 1788, and found on page 81. It is known that he wrote one or

*See page 81.

more letters to Miro, but no copies of them can be found. We can only infer their tenor from Miro's letters.

McGillivray was a half-breed Indian, Chief of the Creek Nation, and known to be in the pay of the Spaniards. He was a man of education, and ability, with remarkable power of combination. He was thoroughly unscrupulous and crafty. A few years before the date of this letter, he had addressed a communication to Col. O'Reilly the Spanish Commander at Pensacola, which was approved by the Spanish authorities, and made the outline of their policy. Soon afterwards, Don Estevan Miro, at that time Governor *ad interim* of Louisiana had assembled the Southern Indians in Council, and had united them in the service of Spain, under the leadership of McGillivray.

The Spaniards then pursued the policy of inciting the Indians secretly to hostilities against the Cumberland settlements. Under the skillful direction of McGillivray, the attacks of the Indians were insidious and disastrous. It was impossible for the Cumberland settlement to prosper in face of these continued attacks. Their very existence was at stake. They could not destroy either McGillivray or the Spaniards. They turned for assistance to North Carolina and to Congress, *in vain*. Conciliation was the only hope.

Gen. Robertson began with McGillivray. His letter of August 3rd, 1788, was evidently intended to be conveyed to the Spanish authorities, and bears the appearance of opening the door to negotiations with Spain. No one has ever accused Gen. Robertson of seeking a negotiation for private gain. He was acting for his people and not for himself. The reader is referred to the histories of Ramsey and Putnam and to Roosevelt's "Winning of the West," where this matter is fully discussed and the circumstances connected with it given in detail. It was simply a diplomatic ruse to parley with the enemy and gain time for defence. It contains no corrupt offer. It proposes conciliation and holds out the inducement

that the Western settlers might enter into negotiations independently of the Congress of the Confederation, from whom they had heretofore received no assistance. In this they were fully justified by circumstances, and by the necessity of self-protection.

THE DATE OF MIRO'S LETTER.*

The date of Gov. Miro's letter to Gen. Robertson is a matter of some interest. The date of 1783 would connect it with one train of historical events, and the date, 1789, would connect it with a train of very different significance.

Mr. A. W. Putnam, who was a grandson of Gen. Israel Putnam of Revolutionary fame, and who was the President of the Tennessee Historical Society, and the author of the "History of Middle Tennessee," published in 1859, alludes to this letter in his history, under the date "1783." Previous to the publication of his work, he wrote in 1850, an introduction or preface on the fly leaves of the first volume of the Robertson Correspondence, in which he states this date to be 1783, and endeavors to connect the letter with certain proceedings of the Cumberland Committee of that date. [See page 73.]

Mr. Theodore Roosevelt, in his great work, the "Winning of the West," adopts the same view, and alludes to this letter, giving the date as "April 20, 1783."

On the other hand, Mr. Nathaniel Cross, in arranging the manuscripts, placed them, as he states, in chronological order, and he has collated this letter among the letters of 1789. Mr. Cross, or some one else, took the additional precaution to endorse on this letter "1789." At a later period, Mr. Putnam made an endorsement on the letter, stating that it was written in 1783, and referring to his preface on the fly leaf.

*See page 87.

A careful examination leads to the conclusion that the two eminent historians, usually so accurate, are in this case, mistaken, and Mr. Cross is right.

1st. An examination of the manuscript itself shows that it is written in the English language, but not in an English handwriting. It is in a good state of preservation. The ink retains its color, and the writing is as legible as on the day it was written. The letters and figures are distinct, but peculiarly shaped. "New Orleans, 20th April" is plain. Of the figures denoting the year, 1, 7, 8 are unmistakable. The last figure is peculiarly shaped, and might pass for either 3 or 9, but it more nearly resembles 9. In the body of the letter the same character is used again, where it is plainly January 29, and not January 23. In the second use of this character, we have Mr. Putnam's authority for pronouncing it to be 9. He says History of Middle Tennessee, page 205, Robertson wrote to Miro, "under date of *January 29*. He thus construes the character used in the body of Miro's letter to be 9 and not 3, thus making January 29, and not January 23.

2nd. The historical facts connected with the letter prove that it was written in 1789.

Miro was not Governor of Louisiana in 1783. Galvez was Governor at that time. Miro was Governor *ad interim* during that year, 1783, but did not become Governor until a later period. In this letter, Miro states that he had written to McGillivray "*at different times*" to induce him to make peace, which would seem to indicate that he had himself been in office for some length of time. Mr. Roosevelt makes this expression the basis for accusing Miro of treachery, and adduces letters from Miro in 1786, showing that he had incited McGillivray to hostilities. This charge would hold if the letter to Robertson had been written in 1783, but would not apply to a letter written in 1789.

Again: In this letter, Miro invites Robertson and his

family to settle in Louisiana, and offers freedom from molestation on account of religion, a market free from duty, and lands "*gratis*." This accords with the policy adopted by Miro's administration in 1788, and actively urged in 1789, but it does not accord with the Spanish policy of 1783.

Still again: Miro says in this same letter, "after the letter I received from you, and Brigadier general Daniel Smith, Esqr., I will write to him again," (McGillivray). Here we have again Putnam's testimony. He says, History of Middle Tennessee, page 323, under Chapter XIX., which is headed "1789," alluding to a correspondence between Gen. Robertson, Miro, and other Spanish officers: "At this time we find Gen. Daniel Smith connected with Gen. Robertson in conducting the correspondence." There is no evidence that Gen. Smith was connected with Robertson in conducting correspondence in 1783, but there is evidence in addition to the testimony of Putnam, that he was so connected in 1789. Miro's allusion to Gen. Smith would seem to indicate that his letter was written in 1789. So much for the evidence on the face of the letter itself.

Confidential letters written by Miro about the same time to other persons seem to place the date of this letter beyond doubt. He writes to Gen. Wilkinson, April 23, 1789, as follows:

"I have just received two letters, one from Brigadier General Daniel Smith, dated on the 4th. of March, and the other from Colonel James Robertson, with date of the 11th. of January, both written from the district of Miro. The bearer, Fagot, the confidential agent of General Smith, informed me," etc. * * * * "I have replied to both in general terms, referring them to my answer to White, who carries my letters to these gentlemen."

This letter is dated April 23, just three days after the date of the letter to Robertson. He gives the date of the letter from Robertson as Jan'y 11, whereas in

acknowledging to Robertson the receipt of his letter, he gives the date as Jan'y 29, a discrepancy which might easily arise in writing from memory. The terms of this letter to Wilkinson in connection with the letter in question to Robertson, show that the letter to Robertson was written in answer to a letter from Robertson in January, 1789, and in connection with Gen. Daniel Smith, and that Doct. White was connected with the delivery and also "Fogat" or Hoggatt. Such a letter could not have been written in 1783, or at any time previous to 1789.

But Miro wrote to Spain, April 30, 1789, and alludes to information received from McGillivray of propositions from Kentucky, Frankland, and Cumberland, and states that he had returned conciliatory replies, but had refrained from committing the Spanish Government until the pleasure of the King should be known. All this coincides with the tenor of the letter to Robertson. The whole correspondence forms a chain. The date of Robertson's first letter to McGillivray is August 23, 1788. His second letter to McGillivray was provoked by a sudden incursion of the Indians. The date is illegible. McGillivray waits to correspond with Miro, and replies Dec. 1, 1788. It does not appear when Robertson received McGillivray's letter. Communications were very precarious and slow. He found the opportunity in January, 1789, to write to Miro by Hoggatt, and dated his letter either the 29th or the 11th—most probably the 29th. It was not immediately conveyed. Hoggatt, also carried a letter from Gen. Daniel Smith, dated March 4. To this Miro replied April 20, 1789, his letter being the sequel to the diplomatic correspondence with McGillivray. The expressions of Robertson to McGillivray were conveyed, as he expected, to Miro, and produced the expected result, the cessation of Indian invasions, and the change of Spanish policy from hostility to conciliation. This wise diplomacy saved the Cumberland settlements from invasion, and perhaps from destruction.

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No. 2.

THE "MERO DISTRICT."

BY JOHN ALLISON.

In November, 1784, the General Assembly of North Carolina, at Newbern, divided the district of Morgan, which had heretofore included all of North Carolina "west of the mountains," and by the same act, Washington, Sullivan, Greene and Davidson Counties were erected into a "Superior Court of Law and Equity" district, by the name of "Washington."

From 1784 to 1788, all of the territory and settlements west of the Cumberland Mountains, were included in Davidson and Sumner Counties—then the only organized counties in what is now Middle and West Tennessee.

The population of Davidson County had so increased and extended westward from Nashville, by the fall of 1788, that the General Assembly of North Carolina, at Fayetteville, in November of this year, (1788) divided Davidson County by a line "beginning on the Virginia line, (now Kentucky) thence south along Sumner County to the dividing ridge between Cumberland River and Red River, thence westwardly along said ridge to the head of the main south branch of Sycamore Creek, thence down the said branch to the mouth thereof, thence due south across Cumberland River to Davidson County line;" all

that part of Davidson County west of this line was erected into a new county, which was named Tennessee. Tennessee County, therefore, included all the territory now within the limits of Montgomery, Robertson, Dickson, Houston and Stewart, and parts of Hickman, Humphreys and Cheatham. The county seat of Tennessee was fixed at Clarksville.

By another act passed by the General Assembly of North Carolina, at Fayetteville, in November, 1788, the counties of Davidson, Sumner and Tennessee were created into a new district for the holding of "superior courts of law and equity" therein. When this act forming the new district, west of the Cumberland Mountains, was on its third and final reading, the Speaker called on the author of the bill for the name with which the blank left for that purpose was to be filled.

James Robertson and Robert Hays were the members from Davidson and one or the other of them was, therefore, the author of the bill providing for the new district.

It is said that Col. James Robertson, in answer to the Speaker's call for the name of the new district, arose and suggested "Mero."

Col. Robertson evidently gave the name as it is pronounced, without spelling it (if he knew how) for the clerk, and the clerk wrote it M-e-r-o instead of "M-i-r-o," as it should have been. The name is pronounced as if spelled "M-e-r-o," though spelled correctly "M-i-r-o."

The name as suggested, either by Col. Robertson or Capt. Robert Hays, was adopted without open objection, some of the leading spirits in the Assembly probably having been made acquainted with the motives that dictated this name, while others without any knowledge, opinion or preference, simply followed the leaders in accepting it.

There were, however some members who knew some things, but not everything, in connection with this name, and on reflection, after the name had been adopted, they took offense at it, and it was discussed, not in the Gen-

eral Assembly, but at the taverns and boarding houses with spirit and much feeling. They said it was strange and unexampled, that the name of an officer of a foreign government, who was not and never had been in our service, should be given to a political section of our country and perpetuated upon our public records. They wished to know what this meant.

They knew, they said, that Don Estevan Miro was a Colonel in the Spanish army, that he was also, as they said, "Governor of Orleans," and they had also heard that he was a very kind-hearted, benevolent, agreeable gentleman, but so were hundreds of other foreigners, not to mention the names of many distinguished, loyal citizens of the United States who had not been honored with any such mark of peculiar esteem.

Why, said they, select a Spaniard already very distinguished, at the very time when that nation unjustly withholds from us the free navigation of the Mississippi River, and when this very Don Estevan Miro was the instrument chosen by the Spanish King and court to guard the waters and mouth of the Mississippi and exclude us from its use? And this is not all. Why, said they, should a Spanish official be so honored during the very same year when Spain demanded, and was then demanding of the Congress, that the United States should relinquish the navigation of the Mississippi for a period of at least twenty-five years, a measure which, if acceded to, would completely break up and ruin all of the settlements in Kentucky and on Cumberland. And still more, this mark of respect and consideration was shown a Spanish soldier and Governor at a time when the flat-bottom boatmen from the upper Mississippi, Ohio and Cumberland, on daring to float down the Mississippi to Natchez or New Orleans with their tobacco and other products, were subjected by the Spanish to the most outrageous fines and extortions in the way of duties imposed for the use of a great river, and also to seizures and sometimes to im-

prisonment; and last, but not least, said they, this very Don Estevan Miro is at this very time negotiating and intriguing with certain persons in Kentucky and Cumberland with a view of coming to terms upon which Kentucky and Cumberland country would become a part of and submit to the government of Spain.

These various phases of the subject and the situation of affairs at that particular time, gave to the tavern-talkers a wide field for speculation and conjecture, as well as alarm.

The truth is that the correspondence and communications alleged to have passed between Gov. Miro and certain citizens of Kentucky and Cumberland country about this time would read rather curiously if offered in court to vindicate the Kentucky and Cumberland citizens from a charge of disloyalty to the United States.

It is suggested, and this is probably the correct view, that the purpose of these persons in the main, in Kentucky and Cumberland, who were in correspondence with Gov. Miro, was, in view of their unanswered appeals to Congress for help and protection, "if the Federal Union cannot give aid and protection to us in life, liberty and property, and also secure to us the free and peaceable right to navigate the Mississippi River with our products, why, then Spain, having promised all this, we will unite our fortunes with the Spanish." They knew that whoever could keep the Indians at peace with them, and at the same time control New Orleans and the navigation of the Mississippi, was the absolute arbiter of their destiny, inasmuch as without the right to use the Mississippi there was no market they could reach with their products.

On August 26, 1779, Galvez, then Governor, civil and military and intendant of Louisiana, appointed as third in command (in the campaign which he was about to undertake against the British) Don Estevan Miro, with the rank of Lieutenant-Colonel. Congress observed with satisfaction the rupture between Great Brit-

ain and Spain, and in the fall of 1779 sent a Minister to the Spanish court with instructions to negotiate a treaty of alliance, and particularly to insist on the free navigation of the Mississippi River. To this the court of Spain responded: "We are disposed to acknowledge the independence of the United States, and to enter into a treaty of alliance and commerce with you, but if you wish us to consent to your admission into the great family of nations you must subscribe to the right of Spain to the exclusive navigation of the Mississippi, and consent to our taking possession of both the Floridas and of all the territory extending from the left bank of that river to the back settlements of the former British provinces, according to the proclamation of 1763." In this position, strange as it may seem, Spain was supported by France, and up to 1783, and, indeed, on up to October 27, 1795, Spain did control the Mississippi. On this latter date, October 27, 1795, and about six months before Tennessee was admitted into the Union, after long and tedious negotiations, a treaty was formed between the United States and Spain, a part of the Fourth Article of which reads as follows: "And his Catholic Majesty has likewise agreed that the navigation of the said river Mississippi, in its whole breadth from the Source to the Ocean, shall be free to only his subjects and the citizens of the United States, unless he shall extend this privilege to the subjects of other powers by special Convention."

The Spaniards, constantly haunted by the fear of their restless neighbors in Kentucky and Cumberland country, spared no means to conciliate the Indians. The chief military officer of the Spanish in 1786, in writing to the Spanish government of Alexander McGillivray, said: "So long as we shall hold this chief on our side we will have a barrier between the Floridas and Georgia. The Indians are convinced of the ambition of the Americans; past injuries still dwell in their minds, with the fear that these greedy neighbors may one day seize upon

their lands. It ought to be one of the chief policies of this government to keep this sentiment alive in the breasts of the Indians." Alexander McGillivray was a noted Tory during the Revolution and had taken refuge amongst the Creek Nation. He was a man of great courage and intelligence, inveterate hostility to the whites, and possessed of an insatiable ambition for personal promotion, was in the Spanish pay as a Colonel, as agent of that government amongst the Indians, had usurped regal authority, and was the Chief also of the Talapouches. It is said that he cherished the hope of having his nation admitted into the federal compact, although he was in Spain's pay, with the rank of Colonel, afterward promoted to Commissary General.

This dangerous man was under the absolute control of Gov. Miro in 1788, when Robertson named the Superior Court District after Miro.

Miro having control of the Mississippi River and at the same time almost absolute command over the Indians (in the South) furnishes, it is believed, the explanation of the motives that prompted Robertson and Hays in giving the new court district the name of Miro.

In 1788 Miro was made Governor—civil and military—and intendant of Louisiana and West Florida.

In this year Alexander McGillivray wrote Miro that two delegates from the district of Cumberland had just visited him, with proposals of peace; "that they were in extremities by the incursion of his (McGillivray's) warriors, and would submit to whatever conditions he might impose; and presuming that it would please him, they added, that they would throw themselves in the arms of His Majesty as subjects, and that Kentucky and Cumberland are determined to free themselves from Congress; that they no longer owe obedience to a power which is incapable of protecting them. They desired to know my sentiments on the propositions, but as it embraces im-

portant political questions, I thought proper not to divulge my views."

Miro, commenting on this letter says: "I consider as extremely interesting the intelligence conveyed to McGillivray by the deputies on the fermentation existing in Kentucky, with regard to a separation from the Union. Concerning the proposition made to McGillivray by the inhabitants of Cumberland to become the vassals of His Majesty I have abstained from returning any precise answer."

In April, 1789, in writing to Brig.-Gen. Wilkinson, of Kentucky, who was his confederate in the undertaking to separate Kentucky, Miro says: "I have just received two letters, one from Brig.-Gen. Daniel Smith, dated on the 4th of March, and the other from Col. James Robertson, with date of the 11th of January, both written from the district of Miro. The bearer, Fagot, a confidential agent of Gen. Smith, informed me that the inhabitants of Cumberland, or Miro, would ask North Carolina for an act of separation the following fall, and that as soon as this should be obtained other delegates would be sent from Cumberland to New Orleans, with the object of placing that territory under the domination of His Majesty. I replied to both in general terms." On the next day after writing this letter, Gov. Miro wrote to Gen. Daniel Smith and Col. James Robertson, saying among other things, "The giving of my name to your district has caused me much satisfaction and I feel myself highly honored by the compliment. It increases my desire to contribute to the development of the resources of that province and the prosperity of its inhabitants. I am extremely flattered at your proposition to enter into correspondence with me, and I hope that it will afford me the opportunity of being agreeable to you." These letters, messages, and communications, passing between Gov. Miro and leading citizens of Miro District are more simple, and straightforward than diplomatic. The reader, how-

ever, of this part of our history, must keep in mind the precarious condition of the citizens of the Miro District at this period; a vast wilderness of more than two hundred miles behind them, savage Indians on both sides and the Spanish in front of them; with their State Government, and Congress both so weak, as that neither was able to extend them the slightest aid or protection; thus situated, they very naturally turned in the direction that not only had the power, but gave promise of protection and aid. Miro in acknowledging the compliment of giving his name to the New Court District says: "*It increases my desire to contribute to the development of the resources of that province and the prosperity of its inhabitants.*" In the year 1790, the Spanish Court, contrary to the advice of Gov. Miro, made a formal order levying a tax, or duty, of fifteen per cent. on all produce of freight, that was taken down the Mississippi River. This order so shocked and inflamed the people of Kentucky, and Miro District, that it had the effect, (feared by Miro), of practically breaking off, and forever ending further negotiations between the citizens of Miro District and Gov. Miro, on the subject of Cumberland Country becoming a Spanish province.

Judge Martin, in his history of Louisiana, says there were five parties in the Western country. One in favor of the formation of a new republic unconnected with the United States and a close alliance with Spain; another wished the western part of the United States, to become a part of the province of Louisiana and to submit to the laws of Spain; a third desired war with Spain and an open invasion of Louisiana, the seizure of the Mississippi and New Orleans; a fourth was by a show of war, to prevail on Congress to extort from Spain the right to the free navigation of the Mississippi; the fifth, as unnatural as the second, was to solicit France to procure a retrocession of Louisiana and extend her protection to Kentucky and Cumberland, or Miro District. The adminis-

tration of Miro in Louisiana terminated with the year 1791. In a letter written the previous year, to the Spanish Court for permission to return to Spain, he says: "I have now had the honor of serving the King, always with distinguished zeal, for thirty years and three months, of which twenty-one years and eight months in America, until the state of my health requires my return to Europe." He returned to Spain where he continued his military career, being promoted from the rank of Brigadier to that of Lieutenant-General.

"He carried with him," said Judge Martin, "the good wishes and regrets of the colonies."

Miro's character was that of a kind-hearted, benevolent, upright gentleman.

Leprosy prevailed in Louisiana, and one of Miro's first acts on being promoted to the governorship was to erect a hospital for these unfortunates, on a ridge lying between the Mississippi River and Bayou St. John, which was called "Lepers' Land." Instances were related of Miro in which he would intercede with a creditor to give further time to a debtor, and on failing to obtain the indulgence for an honest debtor he would satisfy the debt out of his individual funds.

In April, 1786, the King of Spain issued a royal order, approving the course and conduct of Miro, who the preceding year had granted the former British subjects in Baton Rouge and Natchez (which had been conquered by the Spanish) ample time to sell their property, collect their debts and remove their persons and effects.

He left his name on Tennessee and her judicial records and reports, where it remained until November 4th, 1809, when, by act of the General Assembly, the state was divided into five judicial circuits, numbers by this act being substituted for names.

Miro District, in addition to Davidson, Sumner and Tennessee, included at one time the counties of Smith, Wilson and Williamson. When the territory south of

the Ohio River was admitted into the Union as the State of Tennessee, the county of Tennessee at the first session of the General Assembly, and on April 9th, 1796, was divided into Montgomery and Robertson Counties, and thus, "Miro District" and "Tennessee" County, appeared on, and then disappeared from the face of the map and the public records of the State of Tennessee.

The Superior Courts of Law and Equity for the Miro District, were held in Nashville. An act of the first session, of the first General Assembly of Tennessee passed April 22nd, 1796, recites that the Court House, or the "office of the Clerk and Master, of the district of Miro, was lately destroyed by fire, and the books, records, and papers thereof lost," etc., and then provides for setting up the records.

While the Capitol and State Treasury were located at Knoxville, there was a branch Treasury of Tennessee kept in the Miro District at Nashville.

On October 26th, 1799, the General Assembly of Tennessee passed an act providing "That the sum of four hundred dollars shall be and the same is hereby appropriated for the payment of the sum due Andrew Jackson, as a full compensation for his services as attorney general for the District of Miro under the territorial government."

The present Chief Justice of the United States, Melville W. Fuller, in an opinion, on the Constitutionality of of a recent law of the State of Michigan, providing for the selection of presidential electors, by a vote of each Congressional District separately taken, refers to an Act of the General Assembly of Tennessee, which appointed a Committee of citizens in the District of Miro, and empowered it to elect presidential electors—the Chief Justice as I understand him approving both methods—as a compliance with the Constitution. The Act referred to, by the Chief Justice, is one worthy of an acquaintance, and I therefore embody the substance of it in this paper,

as I presume there are but few persons familiar with its provisions.

The Act was passed August 8th, 1796 and is as follows: "Be it enacted by the General Assembly of the State of Tennessee, that three electors shall be elected, one in the district of Washington, one in the district of Hamilton, and one in the district of Mero, as directed by this Act, to elect a president and vice-president of the United States, and that the said electors may be elected with as little trouble as possible to the citizens."

Sec. 2nd, "Be it enacted that John Carter, John Adams and John McColleston of the County of Washington; John Rhea, John Spurgeon and Robert Allison of Sullivan County; Daniel Kennedy, Joseph Hardin and James Stinson of the County of Greene; and Richard Mitchell, John Young and Bartlet Marshall of the County of Hawkins are appointed electors to elect an elector for that purpose for the district of Washington; John Adair, Charles McClung and Samuel Flonnagan of the County of Knox; Andrew Henderson, Josiah Jackson and Christopher Hains of the County of Jefferson; Samuel McGahey, Joshua Gist, Alexander Montgomery of the County of Sevier; and Robert Boid, William Lowry and David Caldwell of Wells Station of the County of Blount, are appointed electors to elect an elector for the purpose aforesaid, for the district of Hamilton; Thomas Molloy, William Donelson and George Ridley of the County of Davidson; Kasper Mansco, Edward Douglass and John Hogan of the County of Sumner; George Nevill senior, Josiah Fort and Thomas Johnson of the late County of Tennessee, are appointed electors to elect an elector in the District of Mero, for the purpose aforesaid."

Sec. 4—"That the electors in this Act before named, shall convene, those for the District of Washington at Jonesborough, those for the District of Hamilton at Knoxville, and those for the District of Mero at Nashville, on the Second Monday of November in the year

1796, and being so convened, they, or so many of them as shall attend on said day, proceed to elect by ballot an elector qualified as by this Act directed, for the purpose aforesaid."

The Act provides further that "if two or more persons shall have the same number of votes, it shall be decided in the same manner as grand Jurors are drawn for, in the Superior Courts," that is, the names of such persons as received the same number of votes were to be written on slips of paper and put in a box, or hat, and a boy under twelve years of age, was to draw one of the names from the hat or box, the person so drawn to be given the certificate of election.

The electors chosen by ballot received certificates of election signed by the Committee, and the three electors thus chosen, were directed by the Act "to convene at Knoxville on the First Wednesday in December, 1796, and proceed to elect a president and vice-president of the United States."

This Act, or method of selecting presidential electors, was re-enacted by the General Assembly of Tennessee on October 26th, 1799, for the presidential election, to occur in the year 1800. I am not aware of the foregoing method of selecting presidential electors having ever been adopted by any other State.

This seeming digression, from the main subject, will be pardoned in view of the fact that the Chief Justice, as I understand him, refers to the Act as applicable only to the Miro District.

The method, for electing presidential electors, as provided in this Act, shows how implicitly the people at that time trusted their representative, and also the confidence the representatives reposed in the judgment and patriotism of the citizen, as well as the confidence the people then had in the honor and patriotism of each other.

It should be a source of profound regret, that in this present age of advanced civilization and christian intelli-

gence no such mutual confidence exists, that instead of it, the people distrust their representatives, the representatives in turn doubt and suspect the citizen, while the people at large seem to have lost faith in the integrity and patriotism of each other.

If it were possible for those people, who laid the foundations of "Cumberland Country" and "Miro District" to come back and spend a few weeks with us, they would doubtless be heard to declare, that they were glad they were not cultured statesmen and great financiers. [See Gayarre's History of Louisiana, vol. 3; Martin's History of Louisiana; Haywood's History of Tennessee.]

MEMOIR OF DANIEL BOONE.

BY COL. A. W. PUTNAM.

[A paper found among the Archives of the Tennessee Historical Society.]

Was born in Bucks County, Pa. 11. Feby. 1731. moved to the Yadkin, No. Carolina, when a boy and resided there until in his fortieth year. In 1760, he cut his name upon a tree, yet standing, near the road leading from Jonesboro' to Blountsville where he "cilled a Bar,,"—thus furnishing the earliest specimen, in Tennessee of 'phonetic orthography;' and hunters' skill.

We believe that Boone had not hunted beyond the regions of East Tennessee; but that when Findley returned from the Cumberland country in 1767 and reported what he had seen of its rich lands and thousands of wild animals, he gave fresh impetus to the spirit of adventure and exploration, then already rife in Virginia and N. Carolina.

Boone resolved to go with Findley and revisit the country. They took with them four others, good marksmen and still hunters. In the fall of 1769, they had passed the Cumberland mountain and encamped upon the head waters of Red River, (so they named it,) within the limits of Virginia—now Kentucky.

At this same time the 'Long Hunters' commenced their hunt upon the Cumberland, on the east side of the river. Many of their names are perpetuated and familiar to our citizens: Mansker, Stone, Baker, Gordon, Bledsoe, Drake, Suggs, Montgomery, Neelly.

We doubt not that Boone was much of the time with these hunters, traversed the rich lands of Sumner, and of Davidson, east of the river,—and probably gazed admir-

ingly upon this eminence now crowned by our beautiful capitol. His range however was generally on the borders of Kentucky.

Dec. 22, 1769, Boone and Stuart were hunting at some distance from their camp, and were surprised and captured by Indians, who came from the other side of the Ohio to hunt in these boundless and well-stocked parks. After seven days captivity, they escaped,—and found their camp deserted. Findley and the two hunters who had remained with him were never more seen or heard of. It is presumed they were killed by the Indians, and were thus the first white men killed west of the Cumberland mountains.

Soon after this Boone and Stuart were again attacked, and Stuart killed.

Squire Boone (a brother of Daniel) and another hunter had recently come to these hunting grounds upon Red and Barren rivers, but after the death of Stuart, the two Boones remained alone, the other hunter having started home, with his packs of choice skins. The Boones finding their stock of ammunition reduced, Squire set out to procure supplies.

July 27, 1770, he returned with powder and lead and pack horse, and they continued hunting till March '71, and then returned to North Carolina. Thus Daniel Boone was out for less time than Mansker and his party, for these remained until August.

They all were "without bread or salt for the whole period," and "without a sick stomach, or back-ache," as one of them said.

25. Sep. 1771, Boone started with his family to find a home beyond the mountains. In Powell's valley they were joined by five other families and by hunters without families, in so much that they mustered forty gunmen. When passing through a gorge of the Cumberland mountain they were attacked by Indians in large force. Boone's son and several others were killed, and the whole

of the survivors hastened back to Clinch river where they remained till 1774.

Boone was, in the mean time, appointed by Gov. Dunmore to the command of the forts or stations in that border of Virginia. He attended at the Watauga treaty, being employed by Col. Richard Henderson and his Land Company as a land hunter or explorer, and through him and others, we have no doubt, Col. Henderson first had his attention and ambition turned to this rich land, where he was surveying in the winter and spring of 1780. Boone however left not his name upon any tree, or to designate any of our numerous licks or creeks, as he did in East Tennessee.

In 1775, Boone, leaving his family at the settlements on Clinch river, adventured again into the distant hunting grounds of Kentucky.

On 22d March, the party under his guidance selected a spot deemed favorable for permanent settlement. It was about 15 miles from the place where Boonesborough was subsequently built. They were soon attacked by Indians and four of these pioneers were killed, one or two wounded. The next day, the attack was renewed and five white men were killed. Boone then removed to the site of Boonsboro' and earnestly commenced and prosecuted the erection of a strong fort. This was in March. On 4th of April another man was killed; but, keeping out spies, day and night, they worked at their defences and completed them on the 14th, 1775. "Boone then returned for his family"* and thus introduced into Kentucky the first white woman, wife and daughter. The family of Col. Calloway, and of others, came at the same time in the fall. Talk boastingly of the "First Families of Virginia! Here they are in Kentucky, beyond all question as to precedence: And Miss Boone and Miss Calloway were the *first girls captivated*, west of the Alleghanies or in the great valley of the Mississippi, July,

* Collin's History of Kentucky,—sustained by others.

1776. But Boone scorned the idea of Pocahontas posterity, and he pursued the wild Indians who had *abducted* his daughter and Miss Calloway, until he killed two of their captors, released the girls and restored them to their mothers, and lived to see them happily united to worthy men whom they loved—the mothers of First Families.

Apl. 15, 1776, a regular investment of the fort was made, but the besiegers suffered most, and departed.

July 4th—Notable Day! Again the Indians, 200 in number, surround the fort, closely investing it and destroying all the stock of the whites which remained outside the palisades and some within. On this day these beleaguered people resolve upon one bold effort to rid themselves of their enemy, and to secure independence and safety. Not knowing the great Resolve that day to be adopted at Philadelphia, they determined for themselves to act, and act decisively. They saw the moment propitious, and rushed forth upon the besiegers putting them to flight and slaughter.

For a year and a half the immigrants in Ky. suffered but little interruption from the savages, and received strong accessions.

In Jany. 1778, Boone was captured the second time. He was making salt at the Blue Licks. His captors marched with him to their chief town, Old Chillicothe, on the Scioto, north of the Ohio river. In March he was taken to Detroit; but the Indians not receiving such an offer for their prisoner or his ransom (from the British officers there,) as they demanded, they determined to return with him to their settlements on the Scioto.

June 16th—He made his escape and incurred much peril and suffering before he reached his home at Boonesborough.

After remaining with his friends a short time, he induced nineteen brave fellows to accompany him in an expedition to attack a defenceless Indian town on Paint creek, not far distant from the chief town, Old Chilli-

cothe: In this he was very successful. But the Indians soon followed their invaders to retaliate.

But now they came under lead of British officers and thoroughly armed. They laid siege once more to the fort, but the defences having been so well prepared and a much larger force to man the place at all points, the enemy gained no advantages, and the result was quite fatal to them.

It is very noticeable that at this attack the *British colors* were for the *first* and the *last time*, unfurled on the soil of Kentucky. That flag never was displayed upon any flagstaff held in an enemy's hands in Tennessee. The nearest point to our borders at which it was ever seen, was on King's Mountain, where the King's minions yielded to the mountain boys.

In our State Historical Society may be seen some of the trophies of that day and victory—a day and victory which gladdens the hearts of the pioneers in Kentucky and the patriots throughout the colonies, the chief actors in which were well known to Daniel Boone

“It was in 1780, in the summer, that Boone came back to Ky. with his family” and settled at Boonesboro’: In Oct. his brother was killed and himself narrowly escaped.

In August, 1782, he was in the disastrous defeat at Blue Licks, where he lost a son. He was also with Genl. George Rogers Clark in an expedition against Indian towns north of the Ohio, undertaken to avenge losses at Blue Lick.

In 1779, having been robbed of near \$20,000 in paper money, which he had accumulated to secure lands from Commissioners then attending to sales and pre-emp-tions, he received such a disgust of civil society and of the law's delays and uncertainties, that he sought refuge once more in the wilderness, even under Spanish rule, in Missouri.

In 1820, he died at the residence of his son-in-law, in *Calloway* county, Missouri.

It is a little singular that the name of his earliest and most intimate companion in the first settlement in Ky. should have been perpetuated in that of the county where he breathed his last, and was first interred.

Sept. 13, 1845, the remains of Boone and his wife were removed under authority of the State of Ky. and re-interred at Frankfort, the capital of the great State with the settlement and early history of which his name is forever to be identified.

At those interesting solemnities we find that distinguished citizens now in our own city or State, participated, and we feel the more pleased and interested to conclude this brief sketch by the insertion of their names: Revd. Mr Goodell, Baptist Church, read the Hymn: *Bishop Soule*, Methodist Ch. opening Prayer: Hon. J. J. Crittenden, The Oration: Revd. J. J. Bullock,—Presbyterian Ch. closing Prayer: Revd. *Philip S. Fall*, Christian Ch., Benediction.

STATEMENTS OF HISTORIANS CORRECTED.

BY E. D. HICKS.

[A paper found among the Archives of the Tennessee Historical Society.]

I conceive it to be the duty of the Tennessee Historical Society to correct as far as possible errors which have found their way into the different histories of the State, and this paper is not written in a spirit of captious fault-finding, but as nearly as possible to arrive at facts. I shall quote from Gilbert Imlay's *Topographical Description of the Western Territory of North America* first published in London in 1792. Imlay was evidently a scholar, and his book must have attracted much attention, for in that early day a third edition, with additions was published in 1797. It contains an autobiography of Daniel Boon written in 1784. As to Boon, Francis Baily, subsequently President of The Royal Astronomical Society of Great Britain, says, that descending the Ohio river, he met Boon on 9th April 1797, and having a copy of Imlay with him, he read to Boon the autobiography, and Boon said it was correct. (Baily's Journal). Imlay's book seems to have been unknown to Haywood, Ramsey or Putnam, although it is evidently the earliest book of any note describing this Western country; their quotations from it seem to have been taken at second hand from Monette and Butler. Without entering into the details of Boon's various adventures, I only make extracts sufficient to fix dates. Boon says "On the first of May 1769, I resigned my domestic happiness for a time (Boon evidently intimates by this that he was not in the habit of leaving home) and left my home on the Yadkin in quest of the country of Kentucky, in company with John Finley

and others. On the 7th of June following we found ourselves on Red river where John Finley had previously been, and from the top of an eminence saw the beautiful level of Kentucky." The Red river referred to by Boon is undoubtedly the branch of the Kentucky river, but the Clinch was called Red river, see Imlay pages 113 & 494 where it is referred to as a branch of the Cuttawa in one place and Cherokee in the other, both of which are original names of the Tennessee, as Ouasioto (the French Ou for W) or Wasimoto was the original name for Cumberland river and mountains. Boon describes his adventures in Kentucky, where he remained part of the time alone until some time after March 1771, when he returned to his family on the Yadkin, determined to remove them to Kentucky, which he considered "a second paradise." Boon makes no mention of leaving home, and from the tenor of his narrative remained on the Yadkin until, as he says, "I sold my farm on the Yadkin and such goods as we could not carry with us. I left the Yadkin 25th Sept. 1773, and proceeded on our journey to Kentucky with 5 families more and 40 men that joined us in Powel's valley. We had passed over two mountains, Powel's and Walden's and were approaching Cumberland mountain, when on 10th October, 1773, we were attacked by Indians who killed 6 and wounded 1 man. We repulsed the enemy but were so discouraged that we retreated 40 miles to the settlement on Clinch river." "I remained with my family on Clinch until June 6th 1774 when I and one Michael Stoner were solicited by Gov. Dunmore of Virginia to go to the Falls of the Ohio. This we did, completing the tour of 800 miles under many difficulties in 62 days. Soon after I returned home I was ordered to take command of three garrisons during the war that Gov. Dunmore carried on against the Shawanese Indians, after the conclusion of which and I being relieved of my post, was solicited by some North Carolina gentlemen, who were about purchasing the lands lying on the South side of Kentucky river

from the Cherokee Indians, to attend their treaty at Watauga in March 1775, to negotiate with them and mention the boundaries of the purchase. This I accepted." This was the Henderson purchase, and this is the first that Boon has to say in regard to Henderson. Within a few months from this time Boon had built the fort at Boonsboro and removed his family to Kentucky. From these dates given by Boon it is *certain* that from June 1769 to April 1771 he was in Kentucky. He then returned to the Yadkin; there is no evidence from his narrative, that from this time until 25th September 1773, that he ever left the Yadkin, all the probabilities are that he remained there, having no business on Watauga, his intention being to settle in Kentucky.

Ramsey followed by Putnam tells the story of the beech tree in the valley of the Watauga with the inscription of "D. Boon cilled a bar on tree in the year 1760" as sufficient authority to date the arrival of Boon in Tennessee in 1760. Ninety years is a very, very long time for an inscription to remain legible on a beech tree, and when I hear of one of our highland terrapins being found with John Smith neatly engraved on his shell and dated 1750, I do not believe that the terrapin and 1750 have anything in common. That the inscription is on the tree is probable, but that D. Boon put it there, is too doubtful to be believed. Haywood and Ramsey bring Boon to Abingdon, Va. in 1761. Haywood and Ramsey put him in Kentucky in 1764 at Crab Orchard, as Haywood says in the employ of Henderson & Co to be informed in the geography and to use Haywood's quaint word *locography* of the country. It seems a little strange that Boon should have said nothing in his narrative about all of these trips and that Henderson had a company formed for more than ten years with Boon in his pay in the then unsettled condition of the country. Both Haywood and Putnam have Boon on Watauga in 1770, when his own narrative says he was in Kentucky. Putnam has him in Kentucky in 1769 and

1770 examining lands for Henderson and Co, Boon says nothing of all this, but says he "hunted with success." If sent to examine lands he would not have taken two years to do it, but would have made his examination and gone back to report. Putnam has Boon on Watauga in 1771, not with intention to remain, but "bent on seeing regions beyond." Boon says in 1771, he returned to the Yadkin and says nothing about a conference with Robertson which related to the formation of the Watauga Compact, with which Putnam credits him. Strange that Haywood after having Henderson's Co. formed as early as 1764, should state that the failure of Robertson's Co. to make a purchase in 1772 *eventuated in the formation of a company* by Henderson who actually made a purchase in 1774 and 1775. Boon never says a word about Henderson, but at the close of Lord Dunmore's war in the latter part of 1774 or beginning of 1775, says he was *solicited* by some North Carolina gentlemen to attend a treaty, negotiate and mention the boundaries of the purchase. I seriously doubt if Boon had ever had any connection with Henderson until the treaty of March 1775, for it is shown by his narrative, that he was on his way to make a settlement in Kentucky when *he* was attacked October 10th 1773 nearly two years previous and retreated as he says to the Clinch, as *Putnam* says to the Watauga and Holston settlements.

Putnam says that Andrew Jackson was appointed Judge of the Superior Court of law and equity, the first session of which was to be held in Davidson County May 1784 and declined; without ever pausing to think that Jackson was born in 1767 and was then just 17 years old and a rather rude boy. How or where he got such an idea I cannot conceive. The facts are that the act establishing the court was passed at the Session beginning November 19th and ending 29th December 1785 and the court was to be held May 1786. Haywood says "They appointed a young man of the age of twenty four years to

be judge of this court, who, upon mature reflection becoming fearful that his small experience and stock of legal acquirements were inadequate to the performance of those great duties which the office devolved upon him, chose rather to resign than to risk the injustice to suitors, which others of better qualifications might certainly avoid." Judge Haywood is evidently modestly speaking of himself, he was just 24 years old, having been born 16th March, 1762. (I know that it is casually stated in the biography of Haywood prefixed to the reprint of his Civil History of Tenn. that he was born in 1753; but an elaborate sketch of his life given in Southwestern Law Journal and Reporter June, 1844, gives the date as I have and states that he died 22nd December, 1826, in his 64th year.) Had Jackson been the appointee and declined for the reasons given, Haywood would certainly have no reasons for not giving his name; for the action was certainly honorable. Haywood, Ramsey and Putnam all state that Edwin Hickman, for whom Hickman County was named was killed in 1785 on Piney river. There is in the Collection of this Society a sketch giving the details of the expedition which went to bury Hickman, as narrated by Capt. John Davis who was one of the party. Capt. Davis came to Nashville in 1788 and he helped bury him, his death could not have been earlier than this date, Capt. Davis states that it occurred in 1791 and pointed out to me the place where it occurred, not on Piney but on Defeated Creek of Duck river. The records show that Hickman was appointed one of the Magistrates of Davidson County in 1791.

Mr. Putnam states that John Sevier was appointed *Major* General for the District of Washington, and Jas. Robertson for the District of Mero. This is an error. Gov. Blount as Territorial Governor had authority to appoint all Field officers of the militia, but not the General officers. He recommended to the President Sevier and Robertson in 1790 and their commissions were issued in

1791 as *Brigadier* Generals. Robertson signed the order for the Nickajack campaign in 1794 as Brig. Genl., resigned as Brig. Genl. in 1795, and in 1796, the Tennessee Legislature elected Jas. Winchester Brig. Genl. to succeed him. Robertson was censured by the Sec'y of War for ordering the Nickajack campaign, and this censure in fact was the cause of his resignation. The Congress of the United States, however, had a more correct idea of Robertson's wisdom and patriotism, for in 1798, in the face of an adverse and decidedly hostile report from the then Secy. of War, Congress ordered that the soldiers engaged in the Nickajack campaign should be paid.

I find another curious error in the Chronological Table in Official Manual of Tennessee. Under the date of 1790 "John Donelson was appointed Major General of the United States army by President Washington." As a matter of Tennessee history this could only refer to Col. John Donelson the ancestor of the Tennessee family of that name, for his son John Donelson Jr. was a young man, and as late as 1792 was only captain, or possibly major in the militia of Mero District. Col. John Donelson if alive, would have been in 1790 an old man over seventy years of age, but unfortunately for the truth of this bit of history, he had been killed in January 1786, on his return from Virginia and Kentucky to join his family in Tennessee.

THE CAPTURE OF AARON BURR.

[The trial of Aaron Burr is historic. The circumstances attending his capture are not, however, so well known. They have been sketched by Parton in his "Life of Aaron Burr." Parton's account differs, in several respects, from the account given by the captor, Maj. Nicholas Perkins.

The papers given below are taken from the originals in the possession of the Tennessee Historical Society. These papers were presented to the Tennessee Historical Society by Mrs. Wm. O'Neil Perkins of Franklin, Williamson County, Tennessee. Mrs. Perkins is the daughter of Col. A. W. Putnam, for many years President of the Tennessee Historical Society, and is a descendant of Gen. Israel Putnam of Revolutionary fame, and also a descendant of Gen. John Sevier, the first Governor of Tennessee.

Her deceased husband, Hon. Wm. O'Neil Perkins was the son of Maj. Nicholas Perkins, the captor of Aaron Burr. For many years these papers were retained in the family as heirlooms, and have never been published. After the death of Col. Perkins they were presented by his widow to the Tennessee Historical Society.

They include an account of the capture, in manuscript, in the form of a letter addressed by Maj. Perkins to C. A. Rodney; an extensive correspondence with various persons in relation to the capture; official communications from Lieut. Gaines (afterwards Gen. Gaines); Sec'y of State, James Madison; Sec'y of War, Gen. Dearborn, and others; financial statements, receipts, etc.

From these papers, the following selections will be sufficient to present a clear picture of the circumstances connected with the capture.

The following letter from a friend, perhaps, conveyed to Maj. Perkins the information which led to the capture.]

WASHINGTON M. T., the 9th of February, 1807.

Sir:

I must acknowledge myself under peculiar obligation to you as being the only friend who misses an opportunity (on the main subject) Col. Burr surrendered to the Civil Authority and on Wednesday last the Grand Jury sworn to enquire for the District of the Mississippi presented that they found that Col. Burr had not committed any offence against the Laws of the U. S. either within this

District or elsewhere. The court however did not discharge him from recognizance but he made his exit without leave.

Expresses were sent in every direction after him, two thousand dollars are offered to deliver him here by the present Executive, Governor Williams. I this moment came in town from Judge Lewis' who last night returned from New Orleans, and states that, that place is in great confusion. The mail is now starting. The Legislature adjourns to-day. I shall set out the latter end of this week and amuse you for a week. Judge Lewis and family are well.

Yours as usual,

LEMUEL HENRY.

Nicholas Perkins, Esq.

[The following statement from the manuscript of Maj. Perkins bears no date.]

C. A. RODNEY, ESQ.

Sir: At your request I have committed to writing the circumstances of the arrest of Aaron Burr Esq. on the Tombigbee River in the Mississippi Territory.

I believe it was on the 18th day of February last, about 12 o'clock in the evening or after, I was at the Court House for the County and District of Washington in the Mississippi Territory in company with Thomas Malone, Clerk of Said District Court, and Theodore Brightwell, Sheriff of the County of Washington, when I heard the sound of horses' feet as if coming on the road that passed near the house in which we were. The Sheriff was in bed. I asked Mr. Malone what could people be after, riding at that time of night, he answered it was not uncommon at that place, the moon shone very bright. I resolved to see them, as they would pass the house, for which purpose I went to the door when a man rode by in

a brisk trot without making any stop, or saying a word, altho' he passed within 20 feet of the door, in which I stood. I observed another person, coming on at a small distance behind, who stopped when he came opposite the door and began inquiring the road to Maj. Hinson's, of which I informed him, and telling him that it would be very difficult to get there in the night, the bridges were broken and a part of the way was a path only, and that they had better stay at the Tavern which I pointed out to him that was in the town. He replied they had come from the Chickasaws, and had lost their horses up the country that evening, which had detained them, but that he believed he could find the way and would go to Maj. Hinson's, and then rode on after the one who passed first and had made no stop. I then turned to the gentlemen in the room, and observed that those men were very extraordinary men indeed, riding at that late hour of the night in a strange country, determined to go on to Maj. Hinson's at the distance of seven or eight miles on a bad road, over broken and dangerous bridges, passing by a public house to a private one, and that they must either have some bad design upon Hinson or his property, or that it was Col. Burr making his escape through that country. I then requested one of the gentlemen to accompany me, for I was resolved to follow him, and if possible to discover who they were or what was their business. The Sheriff Mr. T. Brightwell agreed to go with me. He got out of bed, dressed himself, and taking our horses we pursued them to Maj. Hinson's whither they had arrived before we overtook them. We rode up to the fence there and going into the yard met the gentleman who had inquired of me, the road at the Court House, whose name was Ashley. I could not see the other, who I afterwards discovered had got into the kitchen for the benefit of the fire, there being none in the room that was opened for the strangers. After being there some time the Sheriff was out giving some directions to the servant about the horses, Mr. Ashley

and myself, in the house when the person who had been at the kitchen fire came in. I observed his dress and every appearance to be extraordinary. As well as I can recollect he had on a white hat with a brim rather broad than otherwise. He wore a long beard, a checked handkerchief round his neck, a great coat belted around him to which was hanging a tea cup on the one side and a butcher knife on the other. I began to think he must be Col. Burr, and watched an opportunity of seeing his eye by which I expected to know him. At length I got a glance of his eye as he looked aside at me, upon which I became confident that this was Col. Burr. Soon after, I got my horse and left the house, as if going back to the Court House. But after pursuing that road I turned and took the road down to Fort Stoddart where I arrived before sunrise and informed Lieutenant Gaines of what I had seen and heard the preceding evening, and of my suspicions that the person in the white hat was Col. Burr. He then agreed to go with me, and selecting, as he said, a confidential Sergeant and three soldiers, we set out on horse back up the country towards Maj. Hinson's.

When we came within two or three miles of Maj. Hinson's, we met Col. Burr in company with the Sheriff, Mr. Brightwell. We did not see them until we approached very near each other. They were ascending a small hill. When we rode up to them Lieutenant Gaines asked if he was not Col. Burr, he answered in the affirmative, and then Lieutenant Gaines arrested him. Some conversation passed between Lieut. Gaines and Col. Burr on the subject of the arrest. At length, Col. Burr asked Lieutenant Gaines if he had authority to arrest any person with him. Lieutenant Gaines said he had not; then Col. Burr requested that Mr. Ashley should be informed that he wished him to come to Fort Stoddart which I agreed to do if I should see him, and then Col. Burr, Lieutenant Gaines and the soldiers rode off towards Fort Stoddart, leaving Mr. Brightwell and myself at the place.

After they had got some distance from us, I began to interrogate Mr. Brightwell about Col. Burr, he said when Col. Burr saw us, he asked Mr. Brightwell who was that, or what did that mean, (I do not recollect which). Mr. Brightwell replied, that is Perkins and you are gone, the Col. then clasped the bridle in both his hands saying, Lord have mercy, or God have mercy (I do not remember which). This is as well as I can recollect what Mr. Brightwell told me was the expression of Col. Burr on our approach.

I then asked Mr. Brightwell what was Col. Burr's conversation about me after I left Maj. Hinson's. He said Col. Burr told him he was confident that I either knew him, or suspected him, and had pursued him that night to Maj. Hinson's. Mr. Brightwell then acknowledged what had passed between him and myself. He then inquired of Mr. Brightwell if he thought there was any person in the country that would arrest him, and I think Mr. Brightwell said his answer to him was, he did not know of any one. He then asked if he, Mr. Brightwell thought I could not be softened. I believe Mr. Brightwell told me that Col. Burr was going to Mr. Mimms's, which is on the East side of of the Alabama (but of this I am not certain), and that he, Mr. Brightwell, was to show him the way to the ferry.

I then left Mr. Brightwell and pursued the road or path towards the Court House, and before I reached that place overtook Mr. Ashley, and we rode together to the Court House. I then wrote a letter to Col. Callier informing him of the circumstance, requesting that he would meet me the next evening at the Court House. Mr. Ashley went with the messenger to Col. Callier. I had not told Mr. Ashley of Col. Burr's arrest, but that Col. Burr requested him to come to Fort Stoddart, he observed the Col. had changed his place or route (I don't remember which).

When I came to the Court House the next evening I found Col. Callier and Mr. Ashley there; the Col. told me he

had not told Mr. Ashley of Col. Burr's arrest but that he pretended to approve of Col. Burr's conduct in order to sound Ashley. He said Ashley told him that Col. Burr's schemes were against the Floridas and Mexico. Col. Callier asked if Col. Burr had a sufficiency of money to carry on his plan. Ashley said he had about one hundred and fifty thousand dollars. This is, as well as I can remember, the conversation that Col. Callier told me had passed between him and Mr. Ashley. Col. Callier and myself then walked to where Ashley was, and then the Col. arrested him. Mr. Ashley asked what he was arrested for, I told him it was for being one of Col. Burr's party, he then denied that he knew anything of Col. Burr's plan. He had met with Col. Burr by accident, found him a pleasant travelling companion and had come with him to that place. I then told him that Col. Callier had related 'to me the conversation they had had on that subject and it was unnecessary to deny what he had told the Col. Ashley said he had told the Col. that he believed so, but never had told him that he knew anything about Col. Burr's plan. Col. Callier contradicted him. Soon after which I got my horse and started to Fort Stoddart. I did not arrive at Fort Stoddart until the next day. Not long after my arrival at that place Lieutenant Gaines introduced a gentleman to me, saying he was a Spanish Officer, who I think he said commanded a Spanish armed vessel called Louisa, and who had been up the river, as I was told, to purchase sea stores or some things that were necessary for a cruise that he was about to undertake, and that he would not leave that place until next evening. The Spanish Officer spoke no English, as I had but conversed by means of an interpreter. In the evening after dinner the Spanish Officer requested to see the prisoner, (Col. Burr). Soon after which, Lieutenant Gaines asked me whether it was proper, I told him I thought not, but that I supposed Col. Burr himself would object, and that he had better go and see him. Lieutenant Gaines went into the room where Col. Burr

was, and again returned into the room where the Spanish Officer and myself were, holding a piece of paper in his hand, on which was some writing, but who it was written by I do not know. He said to the officer it was improper he should see Col. Burr, as he was then a prisoner of the United States, and Lieutenant Gaines then said, as well as I can recollect, Col. Burr sends his compliments to Morates and his daughter and requests that he would send him some wine, and I think some other articles but do not remember what, and then gave the paper to the Spanish Officer who started off down the river toward Mobile in a short time, at which Lieutenant Gaines appeared to be alarmed, and told me he was suspicious that the Spaniard would endeavor to rescue Col. Burr, and that he was unable to defend himself, as his pickets were pulled down and some of his men were unfit for duty, and then I consented to convey him to the City of Washington.

As to the affair at Chester Court House, South Carolina: When we came to the edge of the town, I rode on one side of Col. Burr and one of my party on the other. When we arrived near the middle of town, as I suppose, Col. Burr leaped from his horse, and asked if there was any Magistrate there, and going in among several gentlemen, that were standing together in the street, requested them to protect him from us; that we were taking him along without any authority. Col. Burr was seated on his horse again and conveyed off immediately.

[Copy of a letter addressed to General Wilkison and Governor Williams.]

FORT STODDART, MOBILE RIVER,
Febry. 19th, 1807.

Sir:

I have the honor to inform your Excellency that at day break this morning I was advised by Major Perkins that a stranger who he supposed to be Col. Burr had

passed through the upper part of this Settlement last evening whereupon I set out with a Sergeant and three men of my detachment and reconnoitering with Major Perkins about 14 miles up the country, met with the Colonel and escorted him to this place. He is now in one of our best rooms with a Sentinel at his door. He shall receive every accommodation this place will afford, and until I am furnished with instructions from the proper authority he shall receive from me and my guards the most vigilant attention.

Whether there is not a communication between this gentleman and our Spanish neighbors seems a matter of doubt; if there is, this is by no means a suitable place for him, and should I discover any ground for such a connection I must immediately start him for the City of Washington as my force (40 men), is too small to secure him. Permit me sir, to solicit your instruction on the subject.

I have the honor to be

Very Respectfully

Your Obdt. Servt.

EDMUND P. GAINES

1 Lt. 2nd. Infy.

Commdg.

[The following letter is from Lieut. Edmund P. Gaines, afterwards Gen. Gaines, and is marked "Private."]

PRIVATE.

FORT STODDART,

Febry. 9th, 1807.

Dear Perkins:

In addition to the conversation I had with you to-day on the subject of a trip to Washington City, or other proper means of disposing of our Great Prisoner, suffer me to solicit a full development of your ideas on the following points.

Whether would it be most advisable to detain him at this place until I receive orders from the Commander in

Chief, from the seat of the general government, or advice from Gov. Williams, or to send him immediately to Washington City or to Natchez? I wish you to write freely and fully as a friend—and at the same time inform me whether it would be in your power to command the escort either way—if not I wish you to consult your brother Captain Perkins and Mr. Murray, and should either of them find it in their power to undertake the arduous task, they will, I doubt not, secure the grateful thanks of their country and a full compensation for their time and trouble, should either conclude to go. I think the tour should not be put off many days. It strikes me as an indispensable step for the security of this settlement and the tranquility of the Western Country generally, to send the Col. direct to Washington City and leave this place at all events by the 22nd of the present month.

If your opinion coincides with the one just expressed, one of you, above mentioned must go and whoever it be, let him get four active, sober, confidential young men (one or two of whom should know the route) with good horses, pistols and swords, with one or two good light shot guns—no baggage save a blanket and &c, and come to this place on the 21st inst. I cannot spare soldiers, unless a few to accompany the escort out of the settlement.

I apprehend something is brewing below, and I must secure this place. The party may get fresh horses and &c, on their arrival at the Ochmulgee Fort. It will be well to settle the terms on which the young men will engage. If they are allowed nothing extra by Government, the 2000 dollars reward shall be applied to the adjustment of these expenditures as far as necessary. I cannot now advance 100 dollars in specie, the arrangements must be made accordingly. You can show this hasty scrawl to Mr. Maney and whatever you write to me shall, if you wish, be held as private and confidential.

Yours Sincerely,

EDMD. P. GAINES.

Maj. Perkins:

Please send the enclosed pr first opportunity.

P. S. I think you and myself may with safety incur the necessary expenses to get the men to the City of Washington if we have no other dependence than the 2000 dollars which on his delivery shall be equally distributive.

But surely the Govt. will not hesitate to meet expenses.

EDMD. P. GAINES.

[In accordance with the advice of Lieut. Gaines, Maj. Perkins secured the services of four reliable men to serve as a guard for the purpose of conveying Col. Burr to Washington. The party entered into the following contract:]

February 23rd, 1807: We, whose names are hereto subscribed, do pledge our lives, our honor, each to the other, for the safe conducting and delivery of Aaron Burr, a United States prisoner, to the President of the United States, under the direction of Nicholas Perkins.

NICHOLAS PERKINS,
JOHN MERTES,
SAM'L McCORMACK.
JOHN JAY HENRY,
H. B. SLADE.

[Copy of letter addressed to Major Perkins.]

TENSAW, near FORT STODDERT.

Sir:

You will receive herewith a passport for yourself and party thro' the wilderness, with a general instruction relative to the removal of A. Burr, Esq., to the seat of Government, together with a letter to the Hon^{bl}., the Secretary of War, which you are hereby authorized to open in case it becomes necessary to make known the particular circumstances attending the arrest of the said A. Burr, Esq., before your arrival at Washington City. In addition to the above mentioned instructions, permit me to re-

quest your particular attention to the strictest œconomy in the expenditures of your expedition, taking duplicate accounts and receipts for all things you may find it necessary to purchase for the use of the party. It is my desire that you furnish the prisoner, Aaron Burr, Esq., with whatever his convenience, accommodation and comfort may require consistently with such measures for the security of his person as you may deem expedient.

Sergeant Harris and Cyrus Jones, of my detachment, Second U. S. Infantry, will form a part of the escort and are to be under your direction.

Wishing you health and happiness,

I am sir, yours, &c.,

EDMUND P. GAINES,

Lieut. Second U. S. Infantry.

[Passport and instructions for Major Perkins.]

Edmund P. Gaines, First Lieutenant Second Regiment of United States Infantry and Commandant of Fort Stoddert: To all who shall see these presents, greeting:

Be it known, that by virtue of the proclamation of the President of the United States, dated November 27th, 1806; and more especially by virtue of the proclamation of Robert Williams, Governor of the Mississippi Territory, dated the sixth day of the present month of February; I did, on the 19th of said month, arrest Aaron Burr, Esq., and have this day committed him to the charge of Major Nicholas Perkins with a suitable guard whom I have authorized and instructed by these presents to convey the said Aaron Burr, Esq., in the most perfect safety and by the most eligible route overland, to the Executive of the United States at Washington City, in the District of Columbia. And I hereby request all military officers and other officers of the United States, or any one of same, and all citizens of the same, who shall see these presents, to give all necessary aid to the said Maj. N. Perkins and

his party in the execution of the above mentioned duties.

Given under my hand at Tensaw, near Fort Stoddard, in the Mississippi Territory, this, twenty-seventh day of February, A. D., one thousand eight hundred and seven.

EDMUND P. GAINES.

[Order from James Madison, Sec'y of State.]

TO MR. LEWIS FORD:

It being understood that certain persons having in their custody Aaron Burr, charged with offenses against the United States, are proceeding with him to this city with the view to deliver him to the proper authority for trial, you will please, agreeably to the direction of the President, on falling in with the said persons to require that instead of bringing the said Aaron Burr to this place, they proceed by the shortest route to the City of Richmond without delay and there dispose of him as they shall be advised to be legal and most proper by George Hay, Esq., the Attorney of the the United States for that District. You may inform the said persons that any just claims they may have against the United States on the occasion will not be affected by this change in their journey, and that such claims will be settled at Richmond by Mr. John Hay.

JAMES MADISON.

Department of State, }
March 23, 1807. }

[Order from Sec'y of War.]

WAR DEPARTMENT, March 23, 1807.

Sir:

On receipt of this you will direct your course with your prisoner to Richmond, in the State of Virginia, and there call on George Hay, Esq., District Attorney for the United States, and receive his direction in relation to the prisoner under your charge, and will punctually

follow such instructions as you may receive from Mr. Hay or from C. A. Rodney, Esq., Attorney General of the United States. Mr. Rodney will take the necessary measures for furnishing you with money sufficient for your journey to the City of Washington, where you will report yourself to this Department. The bearer of this, Mr. Ford, will accompany you to Richmond.

I am very respectfully, your

Obt. Servt.,

H. DEARBORN.

To the officer who has charge of Aaron Burr as a prisoner, charged with treasonable practices against the Government and laws of the United States.

[From District Attorney G. W. Hay.]

MAJ. NICHOLAS PERKINS.

Sir: Having received no communication from the Executive in relation to Mr. Burr, and not being furnished at this moment with any evidence or document tending to prove a criminal act on his part, I cannot give you any instructions as to an immediate surrender of his person to the civil authority. From the information, however, given to me this evening by Mr. Ford, and from the letters of the Secretaries of State and of War, shown me by yourself and Mr. Ford, I have reason to believe that by the next mail I shall be furnished with all the papers which may be in the possession of the Executive. As soon as I hear from Washington on this subject, I will take the proper measures to relieve you from the duty in which you are engaged. I am, sir,

Your most obedient servant,

G. W. HAY.

[There is nothing to show to whom the following letter is addressed. It was evidently written to some official of the United States, most probably to the District Attorney, G. W. Hay. Subsequent let-

ters show that the United States received the horses and equipments, and directed Maj. Perkins to proceed to Washington for the settlement of his accounts.]

RICHMOND, VA., March 29, 1807.

Sir:

I have here in my possession nine horses and a double chair that have been purchased on account of the United States, and employed in transporting Aaron Burr, Esquire, from the Mississippi Territory to this place.

The horses are so much reduced by the journey that I do not suppose they will be fit for service in a short time, and the daily expense of feeding them here is very considerable, in consequence of which by the advice of Mr. Rodney, I make this statement to you and shall await your direction. My party consists of seven persons besides myself, two of whom are soldiers of the United States Army, the others are gentlemen that have been engaged on the public account, as men of that description only could be trusted on that business, and as I have not the means of discharging them, whether we shall take the stage to Washington or Indiana or go there upon these worn down horses, will depend on what orders I may receive from you.

Your Obt. Servt.

[It seems that some difficulty was encountered and much delay experienced in the final settlement of the accounts for the expenses of the expedition. The correspondence on this point includes a number of letters, statements, receipts, certificates, etc. The final settlement was made in accordance with the following "Acc't Curr't."]

DR. THE UNITED STATES IN ACC'T CURR'T WITH NICHOLAS PERKINS. CR.

1807			
Apr. 6	To 9 Horses furnished transporting A. Burr to Richmond	1332	By cash rec'd 3331 91
	" Arms furnished for the above	75	
	" One sulkey and harness as above	95	
	" Wages of 5 men and their sustenance as a guard	1014	
	" Traveling Expenses to Washington	815 91	

PEDIGREE OF THE POLLOK OR POLK FAMILY
FROM FULBERT THE SAXON
(A. D. 1075) TO THE PRESENT TIME.

BY MISS MARY WINDER GARRETT.

A. D. 1075.—Fulbert, born in the reign of Malcolm III. of Scotland. In the reign of David I. of Scotland, the vast feudal barony of Pollok in Renfrewshire was held by Fulbert the Saxon, a great noble, territorial king. Fulbert died in 1153, the beginning of the reign of Malcolm IV., and was succeeded by his son Petrius.

Petrius, the son of Fulbert, succeeded his father in 1153. Petrius, assumed as a surname (which at this time came into use) instead of a patronymic, the name of his great hereditary lands of Pollok. The Lieut. Baron of this feudal kingdom was a man of great eminence in his time, and a benefactor of the Monastery of Paisley, which donation was confirmed by Joceline, Bishop of Glasgow, who died A. D. 1199. Petrius was a law unto himself, and equaled the Sovereign in wealth, rank and power. He was the ancestor of many brave warriors and Crusade knights. Petrius de Pollok was greatly distinguished for "valor in arms and prowess in the chase," and his exploits are the subject of many a minstrel lay. Besides his vast estates in Renfrewshire (the chevron of which barony is still borne upon the shield of arms of the Prince of Wales) he held the great barony of the Roths, in Aberdeenshire, which he gave to his only daughter, Maurice, who married the celebrated Sir Norman de Lesley. Maurice de Roths was the ancestress of the great Earls of Roths and Lords of Lesley. The eighth earl was con-

stituted after the restoration of Marquis Ballenbriek, Duke de Roths, President of the Council and Lord High Chancellor of Scotland. The "State Records" show that many intermarriages have taken place between the Lesleys, Polloks and the Royal Stuarts. On the death of Petrius de Pollok his ancient patrimonial estates of Pollok being settled on heirs male, passed to his brother Robert de Pollok, and it is noticeable how the name of Robert has been handed down from father to son to the present time.

Robert I.—Robert de Pollok was succeeded by his son Robert.

Robert de Pollok II. was a contemporary of Alexander II. of Scotland, who reigned from A. D. 1214 to 1249. Robert II. was succeeded by his son Thomas.

Thomas, A. D. 1249.—Thomas de Pollok was witness to sundry charters of donations to the Abbey of Paisley. He was a contemporary of Alexander III. of Scotland, who reigned from 1249 to 1286, and was succeeded by his son Petrius de Pollok.

Petrius de Pollok was one of the persons of rank in A. D. 1296, who gave a forced submission to Edward I. of England, in the Bond known as "*Ragmans Roll*." He was succeeded by Roburtus.

Roburtus de Pollok married Agnes, daughter of Sir John Maxwell, Lord of Caerlaverok, and was succeeded by his son John.

John de Pollok, who, in A. D. 1372, obtained from his grandfather, the said John, Lord Maxwell, a charter of certain lands dated at Caerlaverok, was succeeded by Brucius or Brucis de Pollok.

Brucius de Pollok left a son John de Pollok.

John de Pollok, designated in a charter by James II. of Scotland, dated December 12, 1439, as "nobilis vir Johannes de Pollok filius et heres Bricii de Pollok." From this famous noble sprang the illustrious line of Pollok of that ilk. His successor was Charles de Pollok

of that ilk. John de Pollok had a second son, named Robert de Pollok, who received from King James II. the great land grant in Ireland.

The following notes are mostly taken from a written communication to W. R. Polk, from Mrs. W. H. Polk, wife of W. H. Polk, brother of ex-President Polk. John de Pollok, last mentioned, had another son besides his oldest son Charles, named Robert de Pollok.

Robert de Pollok, became Sir Robert de Pollok, of Ireland, who received the grant from King James II. in Ireland.

1440.—This Sir Robert's oldest son, Sir John, inherited the hereditary estate in old Scotland. Sir Robert, the younger son of Sir Robert, inherited the estate in Ireland, and he became Sir Robert.

Robert II.—Sir Robert de Pollok, of Ireland, inherited the estate in Ireland and became the founder of the family in Ireland, where the name is to this day often pronounced, P-o-l-k, as of one syllable, by the natives, and whose American descendants, the Polks, still preserve the "lineal memorial of their noble and knightly ancestry."

In 1640, Sir Robert, of Ireland, joined the Scotch Covenanters, whose Commander-in-Chief and Governor of Dumbarton Castle was a relative of General, Sir Alexander Leslie, one of the most famous soldiers of the time.

1649.—In 1646, Sir George Maxwell, of Nether Pollok, was married to Lady Annabella Stuart, lineal descendant of King Robert III. and their granddaughter, Annabella, married her cousin, Sir Robert Pollok, of "Upper Pollok," grandnephew of Sir Robert, of Ireland, whose nephew, Ezekiel Stuart, married Debora Annely.

Sir Robert was succeeded by his son Thomas; he also had a second son, Robert Bruce Pollok. Thomas Pollok, oldest son of Sir Robert, succeeded to the Irish estates.

Robert Bruce Pollok, the second son of Sir Robert II., married the widow of Col. Porter. Her maiden name was Magdaline Tasker. She was of French descent, and heiress of the estate of "Mowning or Morning Hall" in the Barony of Ross, County of Donegal, Parish of Deford, Ireland. She was related to the Countess of Mornington and her sister Prudence, aunts of the Duke of Wellington. It is said that the marriage of Robert Bruce Pollok or Polk, and Magdaline Porter, nee Tasker, was a runaway match. She lived to be nearly 92 years of age, and died at her home place, "White Hall," in Somerset County, Maryland, between April 7, 1726, and March 20, 1727. In her will of record in the office of the register of wills for Somerset County, Md., she begins: "I, Magdaline Pollok," but signed "Magdaline Polk." She bequeathed and willed Mowning Hall in Ireland to her sixth son, Joseph, and he returned to Ireland.

Robert Bruce Pollok, last named, with his wife Magdaline and six sons and two daughters, left Ireland and came to America, arriving and landing at "Dames Quarter," in Somerset County, Maryland, in the year 1680, 1683 or 1687, according to different authorities, where his descendants were long known as the Republican or Democratic family. At that time the two names were used to represent the one party as opposed to the Tories. The children of Robert Bruce Pollok and Magdaline were: 1 John, 2 William, 3 Ephraim, 4 James, 5 Robert, 6 Joseph, 7 Margaret, 8 Ann.

THE JOHN POLK BRANCH.

John Polk or Pollok, eldest son of Robert Bruce Polk or Pollok and Magdaline, his wife, married twice—first wife Joanna Knox; second wife, Jugga Hugg. By his first marriage with Joanna Knox he had two children,

William Polk, the elder, and Nancy Polk the younger child. Nancy Polk married Edward Roberts. William Polk, only son of John Polk, married twice—first wife, Priscilla Roberts; second wife, Margaret Taylor,* of Pennsylvania. (Priscilla Roberts was a sister of Edward Roberts, who married Nancy, the sister of William Polk.)

William Polk, when his sons were nearly grown, removed with his children and second wife, Margaret, to Carlisle, Penn., then to Mecklenburg County, North Carolina.

William Polk settled and died west of the Yadkin. He left eight children, viz.: William Polk, the eldest child, Charles Polk, Debora Polk, Susan Polk, John Polk, Margaret Polk, Ezekiel Polk and Thomas Polk.

William Polk, eldest son of William Polk, Sr., married and removed to Tennessee. (I can trace his branch no further.) He left descendants.

Charles Polk, second son of William Polk, Sr., married in 1750, Polly Clark; had five children, viz.: Charles Polk, Thomas Polk, Shelby Polk, Mike Polk, William Polk.

Debora Polk, third child of William Polk, Sr., married Samuel McCleary and died without issue.

Susan Polk, fourth child of William Polk, Sr., married Benjamin Alexander and had six children, viz.: Charles Alexander, Thomas Alexander, Susan Alexander, William Alexander (a Captain and brave and distinguished soldier in the Revolutionary Army), Benjamin Alexander and Taylor Alexander.

John Polk, fifth child of William Polk, Sr., married Eleanor, the daughter of Col. Isaac Shelby, and had four children, viz.: Charles Polk, Taylor Polk, John Polk, and Eleanor Polk.

*From the information that I have been able to procure, I would be inclined to think that Margaret Taylor was mother of (certainly) the three last children, but the family claim descent from Priscilla Roberts in all eight branches.

Margaret Polk, sixth child of William Polk, Sr., married Robert McKree and had eleven children, viz.: William McKree, Debora McKree, James P. McKree, Susan McKree, Dinah McKree, Margaret McKree, Thomas McKree, Harriet McKree, Rachael McKree, William McKree, Mary McKree.

William McKree, eldest son of Robert McKree and Margaret Polk, his wife, married and had eight children, viz.: William McKree, David McKree, James McKree, Margaret McKree, Banks McKree, Richard McKree, Robert McKree and Josephine McKree.

Debora McKree, second child of Robert McKree and Margaret Polk, his wife, married Mr. Campbell and had nine children, viz.: Mary Campbell, Jane Campbell, Debora Campbell, Robert Campbell, Margaret Campbell, William Campbell, Harriet Campbell, John Campbell, Andrew Crmpbell.

James P. McKree, third child of Robert McKree and Margaret Polk, his wife, married and removed to Tennessee. He had ten children, viz.: Maagaret McKree, Robert McKree, Sarah McKree, Mary A. McKree, Adam McKree, James McKree, William McKree, Eugene McKree, Rebecca McKree and Julia McKree. Sarah, the third child of James P. McKree, of Tennessee, married Mr. Clay, and left seven children, viz.: Margaret Clay, James Clay, William Clay, John L. Clay, Leonidas Clay, Sarah Clay and Martha Clay.

Susan McKree, fourth child of Robert McKree and Margaret Polk, his wife, married William Barnett, and had seven children, viz.: William Barnett, Susan Barnett, Margaret Barnett, Ann Barnett, John Barnett, Jane Barnett and Robert Barnett.

Dinah McKree, fifth child of Robert McKree and Margaret Polk, his wife, married Mr. Hart, and had five children, viz.: Mary Hart, Margaret Hart, Isabella Hart, William Hart, David Hart.

Margaret McKree, sixth child of Robert McKree and Margaret Polk, his wife, married Mr. Spratt; had eight children, viz.: Thomas Spratt, Robert Spratt, Margaret Spratt, Susan Spratt, James Spratt, Elizabeth Spratt, Martha Spratt and Leonidas Spratt.

Thomas McKree, seventh son of Robert McKree and Margaret Polk, his wife, married; had three children, viz.: William McKree, Robert McKree and Margaret McKree.

Harriet McKree, eighth child of Robert McKree and Margaret Polk, his wife, married Mr. Taylor and had three children, viz.: Mary Taylor, Robert Taylor and John Taylor.

Rachael McKree, ninth child of Robert McKree and Margaret Polk, his wife, married Mr. Vance, and had two children: Robert Vance and James Vance.

William McKree, tenth child of Robert McKree and Margaret Polk, his wife, never married.

Mary McKree, eleventh child of Robert McKree and Margaret Polk, his wife, married Mr. Barnett, and had two children: Mary Barnett and William Barnett.

Ezekiel Polk, seventh child of William Polk, Sr., married twice according to some authority; according to others three times. His first wife was Mary Wilson; his last wife was Mrs. Lennard. He left twelve children. By his first marriage with Mary Wilson he had certainly four of the twelve children; the other eight were probably the children of his last marriage with the widow Lennard, for if he married three times there are no living children of his second wife.

Ezekiel Polk was sheriff of Tryon County in 1763, and was highly respected. By his first marriage, with Mary Wilson, he had four children, viz.: Thomas Polk, William Polk, Matilda Polk and Samuel Polk. By his last marriage with Mrs. Lennard he had eight children, viz.: John Polk, Louisa Polk, Clarissa Polk, Mary Polk,

Charles Polk, Benigna Polk, Eugenia Polk and Edwin Polk.

Thomas Polk, eldest son of Col. Ezekiel Polk and Mary Wilson, his wife, married and had seven children, viz.: Thomas Polk, Mary Polk, Irwin Polk, Ezekiel Polk, Adelina Polk, and Amelia Polk and Lecie, who married Mr. Lennard and had two children, Lucius Lennard and Eliza Lennard.

William, the second child of Col. Ezekiel Polk and Mary Wilson, his wife, married Elizabeth Dodd, and had eight children, viz.: Clarissa Polk, Laura Polk, Mary Polk, Olivia Polk, Jackson J. Polk, Caroline Polk, Thomas Polk and Sarah Polk.

Clarissa Polk, eldest child of William Polk and Elizabeth Dodd, his wife, married Mr. Taylor, and had five children, viz.: Isaac Taylor, Laura Taylor, Thomas Taylor, Caroline Taylor and Clarissa Taylor.

Laura Polk, second child of William Polk and Elizabeth Dodd, his wife, married twice; first Mr. Manly, second Mr. Taylor. By her first marriage there were three children: William Manly, Elizabeth Manly and Clarissa Manly; by her second marriage she left three Taylor children.

Mary Polk, third child of William Polk and Elizabeth Dodd, his wife, married Mr. Howard, and had two children: William Howard and Sarah R. Howard.

Olivia Polk, fourth child of William Polk and Elizabeth Dodd, his wife, married Mr. D. D. Berry, and had nine children, viz.: Elizabeth Berry, Laura T. Berry, Clarissa C. Berry, Louisa M. Berry, Mary E. Berry, Olivia P. Berry, John T. Berry, William B. Berry and Daniel D. Berry.

Jackson Polk, fifth child of William Polk and Elizabeth Dodd, his wife, married and had four children, viz.: Ann Polk, William Polk, Oscar Polk and Virginia Polk.

Caroline Polk, daughter of William Polk and Eliza-

beth Dodd, his wife, married John Wirt, and had two children (twins): Caroline Wirt and Catherine Wirt.

Thomas Polk, son of William Polk and Elizabeth Dodd, his wife, never married.

Sarah Polk, the youngest child of William Polk and Elizabeth Dodd, his wife, married Mr. Kent, and had one child, Joseph Kent.

Matilda Polk, third child of Col. Ezekiel Polk and Mary Wilson, his wife, married Mr. Campbell, and had nine children, viz.: Robert Campbell, Mary Campbell, Madison Campbell, Eliza Campbell, William Campbell, Matilda Campbell, Junius Campbell, Caroline Campbell and John Campbell.

Robert Campbell, eldest child of Mr. Campbell and Matilda Polk, his wife, married and had six children, viz.: Harriet Campbell (who married Mr. Kirby and left two children), John Campbell (who left one child, Mary Campbell), Jane Campbell, Bruce Campbell, Elizabeth Campbell and one other child.

Mary Campbell, third child of Robt. Campbell and Matilda Polk, his wife, married Mr. Miller.

Elizabeth Campbell, daughter of Robert Campbell and Matilda Polk, his wife, married Mr. Alexander.

Samuel Polk, fourth child of Col. Ezekiel Polk and Mary Wilson, his wife, married Jane Knox, great, great niece of John Knox, of Scotland. She was the daughter of Col. James Knox, great nephew of the Scotch reformer. She was a strict Presbyterian.

The Polk family in Scotland many times intermarried with the House of Stuart. Now we find that they also inherit the descent of the Knox family. I cannot find in what degree Joanna Knox and her sister Nancy were related to the famous John Knox, whose integrity knew no compromise, and whose truth was stronger than royalty and resisted the charms of the most beautiful and fascinating woman of that age.

“Col. James Knox was one of the prime movers in es-

tablishing American Independence, and was one of the first members of the order of Cincinnatus." (Ramsey's *Annals of Tennessee*, page 97). Col. Knox, father of Jane, was an officer in the Revolutionary War.

Samuel Polk married Jane Knox in 1806, and removed with his family to Tennessee. He died in 1827. To Samuel Polk and Jane Knox, his wife, were born ten children, viz.: James Knox Polk, Jane Maria Polk, Eliza Polk, Marshall Polk, John L. Polk, Franklin Polk, Naomi Polk, Ophelia Polk, William H. Polk and Samuel Polk.

James Knox Polk, eldest child of Samuel Polk and Jane Knox, his wife, was born in North Carolina, Nov. 2, 1795; died in Tennessee, June 15, 1849. "He became a member of the Tennessee bar in 1820, and soon took first rank among his colleagues. He was elected member of Congress in 1825, where he was distinguished for his firmness and industry, and where he was chosen Speaker for three successive terms. His opinions coincided with those of the Democratic party, by which in 1844, he was chosen President of the Republic. It was during his administration that the war against Mexico was successfully terminated and the general Democratic policy maintained." (Putnam's *Cyclopedia*, page 694).

President Polk was elected by the Democratic party eleventh President of the United States and inaugurated March 4, 1845. He was a man of the greatest purity and uprightness of character and tenderly beloved by those who knew him best—the members of his family and household. His public honors show the regard in which he was held by his fellow man. He married Sarah Childress and left no descendants. Mrs. Jane Barnett, of Tennessee, niece of President Polk, has a valuable collection of portraits, representing five generations, beginning with Jane Knox, wife of Samuel Polk, and mother of President Polk; second generation, President James K. Polk and his sister Maria, wife of James Walker;

third generation, the daughter of Maria Walker, Jane, who married Major I. N. Barnett, and her children are the fourth generation, and their children the fifth generation.

Jane Maria Polk,* second child of Samuel Polk and Jane Knox, his wife, married James Walker, and lived to be 79 years of age. James Walker was a native of Kentucky. He and his wife, Jane Maria Polk, had nine children, viz.: Samuel P. Walker, James H. Walker, J. Knox Walker, Jane Walker, Mary Walker, Sarah Walker, Annie M. Walker, L. Marshall Walker and Andrew Walker.

Samuel P. Walker, eldest son of James Walker and Jane Maria Polk, his wife, married ——, and had eight children, viz.: Maria Walker, Catherine Walker, James Walker, John W. Walker, Samuel P. Walker, William Knox Walker and Ellen Walker.

James Walker, the third child of Samuel P. Walker, was killed in C. S. A. service at Bellmond. His regiment was commanded by Col. J. Knox Walker, his uncle.

James H. Walker, second child of James Walker and Jane Maria Polk, was an old soldier in 1860, having served in the Mexican war.

J. Knox Polk was Private Secretary to President Polk, and Colonel in the C. S. A. He was the third child of James Walker and Jane Maria Polk; he married——; had four children, viz.: Maria Walker, Henry Walker, Samuel Walker and James K. Walker.

Jane Walker, fourth child of James Walker and Jane Maria Polk, married Mr. I. N. Barnett; he was in the Confederate service and rose to the rank of Major. Major I. N. Barnett and Jane Walker, his wife, had four

*A touching "In memoriam" poem was written of Mrs. Maria Walker by the gifted Mrs. Naomi H. Moore (nee Hays), who is widely known for her talent and life full of good works and many charities. Her large contribution to the erection of a monument to the Confederate dead, and her last work, the erection of The Ophelia Polk Moore Home for orphan girls, will ever be remembered by a grateful public.

children, viz.: Maria Barnett, Mary Barnett, Rosa Barnett and Walker Barnett.

Maria Barnett, eldest child, married General George D. Johns, of Alabama. She lived only two years after her marriage.

Mary Barnett, second child of Major I. N. Barnett and Jane Walker, his wife, married Mr. W. J. Hine, has two children.

Miss Rosa Barnett resides in Columbia; Mr. Walker Barnett is unmarried and lives in Nashville.

Mary Walker, fifth child of James Walker and Jane Maria Polk, married Mr. Pickett, and had two children: Jane Pickett and Hays Pickett.

Sarah Walker, sixth child of James Walker and Jane Maria Polk, married Mr. Green and had one child.

Annie M. Walker, seventh child of James Walker and Jane Maria Polk married Mr. L. M. Philips, had one child that died young.

L. Marshall Walker, eighth child of Jane Maria Walker and her husband, James Walker, was a graduate of West Point and was Major General in the Western Division of the Confederate Army.

Andrew Walker, ninth child of James Walker and Jane Maria Polk, resides in St. Louis, Mo.

Eliza Polk, third child of Samuel Polk and Jane Knox, his wife, married Mr. Caldwell and had two children: Samuel P. Caldwell and James Caldwell.

Marshall Polk, fourth child of Samuel Polk and Jane Knox, his wife, married, had two children: Marshall Polk and Roxana Polk.

John L. Polk, fifth son of Samuel Polk and Jane Knox, his wife, never married, and Franklin Polk, sixth son, never married.

Naomi Polk, seventh child of Samuel Polk and Jane Knox, his wife, married Mr. Harris, and had four children, viz.: Amelia Harris, Maria Harris, Laura Harris and Melvina Harris.

Ophelia Polk, eighth child of Samuel Polk and Jane Knox his wife, married Mr. Hays and had two children, viz.: Naomi Hays and Virginia Hays.

William H. Polk, ninth child of Samuel Polk and Jane Knox, his wife, married Mary Williams, had two children: William H. Polk and Tasker Polk.

Samuel Polk, tenth child of Samuel Polk and Jane Knox, his wife, never married.

John Polk, fifth child of Col. Ezekiel Polk, was child of his last marriage, with Mrs. Lennard. John Polk married —; had two children: Angelina Polk, who married Mr. Crawford, and Olivia Polk, who married Mr. Prior and left three children, Mary Prior, who married Mr. Moore, and John Prior and Elizabeth Prior.

Louisa Polk, sixth child of Col. Ezekiel Polk and the widow Lennard, his wife, married twice, first Mr. Neely, then Dr. C. C. Collier. She left seven children, viz.: Mary Neely, Rufus P. Neely, Adela Neely, Jackson J. Neely, and by second marriage: Thomas Collier, William Collier and Fanny Collier.

Mary Neely, eldest child of Mr. Neely and Louisa Polk, his wife, married Mr. Atwood and had two children: Josephine Atwood and Adela Atwood.

Rufus P. Neely, second child of Mr. Neely and Louisa Polk, his wife, married Miss Lea, and had eight children, viz.: William Neely, Harriet Neely, Louisa Neely, Kate Neely, Prudence Neely, Charles Neely, James Neely and Mary Neely.

Adela Neely, third child of Mr. Neely and Louisa Polk, his wife, married Mr. Bell.

Jackson J. Neely married and left descendants.

Thomas Collier, son of Dr. C. C. Collier and Louisa Polk, his wife, married and left descendants, one of whom was William Collier.

Clarissa Polk, seventh child of Col. Ezekiel Polk, was a child of his last marriage, with Mrs. Lennard. Clarissa Polk married Thomas McNeal and had eight

children, viz.: Jane McNeal, Ezekiel P. McNeal, Mary McNeal, Prudence McNeal, Albert T. McNeal, Evelina McNeal, Samuel L. McNeal and Wallace W. McNeal.

Jane McNeal, eldest child of Thomas McNeal and Clarissa Polk, his wife, married Mr. Brown and had six children: Mary A. Brown, James Brown, Clara Brown, Albert Brown, Cordelia Brown and Lycurgus Brown.

Ezekiel P. McNeal, second child of Thomas McNeal and Clarissa Polk, his wife, married—, and had a daughter: Priscilla McNeal.

Mary McNeal, third child of Thomas McNeal and Clarissa Polk, his wife, married Mark R. Roberts, and had fourteen children, viz.: Clara Roberts, Thomas F. Roberts, Jane Roberts, Mary Roberts, Prudence Roberts, Thadius Roberts, Evelina Roberts, Maria Roberts, Napoleon Roberts, Ann Roberts, Samuel Roberts, Eliza Roberts, Albert Roberts, Mark Roberts.

Clara Roberts, eldest child of Mark R. Roberts and Mary McNeal, his wife, married Mr. Fulton.

Jane Roberts, third child of Mark R. Roberts and Mary McNeal, his wife, married Mr. Jewett, left two children.

Mary Roberts, fourth child of Mark R. Roberts and Mary McNeal, his wife, married Mr. Baker, had two children.

Prudence Roberts, fifth child of Mark R. Roberts married Mr. McRay, left descendants.

Prudence McNeal, fourth child of Thomas McNeal and Clarissa Polk, his wife, married John H. Bills; had six children, viz.: Ophelia Bills, Leonidas Bills, Mary Bills, Wilson Bills, Clara Bills, Evelina Bills.

Ophelia Bills, eldest child of John H. Bills and Prudence McNeal, his wife, married Horace M. Polk, had five children, viz.: Mary Polk, John Polk, Evelyn Polk Thomas Polk (twins), and another child.

Mary Bills, third child of John H. Bills and Pru-

dence McNeal, his wife, married Mr. Wood, had one child: Fanny Wood.

Albert T. McNeal, fifth child of Thomas McNeal and Clarissa Polk, his wife, married, had two children, viz.: Albert T. McNeal, Irene McNeal.

Evelina McNeal, sixth child of Thomas McNeal and Clarissa Polk, his wife, married Mr. L. Peters and had five children, viz.: Arthur Peters, Thomas Peters, Clara Peters, George W. Peters and another child.

Samuel McNeal, seventh child of Thomas McNeal and Clarissa Polk, his wife, never married.

William W. McNeal, eighth child of Thomas McNeal and Clarissa Polk, his wife, married, and had a son: Thomas McNeal.

Thomas Polk, eighth child of William Polk, Sr., married Susan Spratt, daughter of Thomas Spratt. He was very prominent in the Mecklenburg Declaration, was with Washington at Brandywine and Valley Forge, and conveyed the "Liberty Bell" to Bethlehem. He was a very distinguished man, and was General in the war of the Revolution. To Thomas Polk and his wife, Susan Spratt, were born eight children, viz.: Thomas Polk, William Polk, Ezekiel Polk, Charles Polk, Martha Polk, Margaret Polk, Mary Polk and James Polk.

Thomas Polk, eldest child of General Thomas Polk and Susan Spratt, his wife, never married, was killed at the battle of Eutaw.

William Polk, second child of General Thos. Polk and Susan Spratt, his wife, was a Colonel in the Revolutionary Army and fought in several battles in the South during the war of the Revolution. He welcomed LaFayette in 1824. Col. William Polk married twice, first Grizelda Gilchrist, second Sarah Hawkins. He had ten children; by his first marriage he had two children, and eight children by his second marriage. The children of Col. William Polk and Grizelda Gilchrist were: first Thomas G. Polk, second William Polk. The eight children of Col.

William Polk and Sarah Hawkins were: Lucius Junius Polk, Leonidas Polk, Mary Polk, Alexander Polk, Hamilton Polk, Rufus King Polk, George Washington Polk, Susan Polk and Andrew Jackson Polk.

Thomas G. Polk, eldest child of Col. William Polk, was General Thomas G. Polk, married Mary Trotter. They had eight children, viz.: Mary (who married Mr. Davis and had three children: Mary Davis, Jane Davis and Funius Davis), second child, Jane Polk (who married Mr. Bouchelle), Richard Polk, William Polk, Emily Polk, Margaret Polk, Thomas Polk and Gilbert Polk.

William Polk, second child of Col. William Polk and Grizelda Gilchrist, his wife, was a physician. Dr. William Polk married Mary Jones and had seven children, viz.: Grizelda Polk (who married Mr. Houston and left descendants), Allen Polk, Thomas Polk, Mary Polk (who married Mr. Jones), Lucius Polk, Cadwalida Polk, and Rufus Polk.

Lucius Junius Polk, eldest child of Col. William Polk by his second marriage, with Sarah Hawkins, married Mary Eastin and had eight children, viz.: Sarah Polk, Emily Polk, Mary Polk, William Polk, Eliza Polk, Fanny Polk, George Polk and Susan Polk. Second wife was Mrs. Ann Pope, who had two children: Lucius and Ella.

Leonidas Polk, second child of Col. William Polk by his second marriage with Sarah Hawkins, married Frances Devereux. Leonidas Polk went through West Point, graduated at Alexandria Theological Seminary, and was elected Bishop of Louisiana. It was through his enthusiastic efforts that the University of the South was established at Sewanee Tennessee. He was General in the Confederate Army and was killed on Pine Mountain, in the fifty-eighth year of his age. The life of Bishop Leonidas Polk has recently been given to the public in the charming volumes of his son, Dr. William M. Polk, of New York. To Bishop Leonidas Polk and his wife

were born eight children, viz.: Hamilton Polk, Frances Polk, Katherine Polk, Sarah Polk, Susan Polk, Elizabeth Polk, William M. Polk, Lucia Polk.

Hamilton, eldest son of Leonidas Polk, Bishop and General, and Frances Devreux, his wife, married Emily Beach, and died leaving five sons, viz.: Frank Polk, Leonidas Polk, Hamilton Polk, George Polk and Beach Polk.

Frances Polk, second child of Leonidas Polk, Bishop and General, and Frances Devereux, his wife, married Peyton Skipwith, died leaving two children: Kate Skipwith and Frank Skipwith.

Katherine Polk, third child of Leonidas Polk, Bishop and General, and Frances Devereux, his wife, married William D. Gale and had six children: viz.: Frances Gale, William Dudley Gale, Katherine Gale, Leonide Gale, Josephine Gale, Ethel Gale. The last four died unmarried.

Frances, eldest child of William D. Gale and Katherine Polk, his wife, married Dr. Frank W. Ring.

Wm. Dudley Gale, second child of Wm. D. Gale and Katherine Polk, his wife, married Meta Orr Jackson.

Sarah Polk, fourth child of Leonidas Polk, Bishop and General, and his wife, Frances Devereux, married Frank Blake, and has one son: Frank Polk Blake.

Susan Polk, fifth child of Leonidas Polk, Bishop and General, and Frances, his wife, married Joseph Jones; had three children: Hamilton Jones, Fanny Jones, Laura Jones.

Elizabeth Polk, sixth child of Leonidas Polk, Bishop and General, and his wife, Frances Devereux, married Mr. W. E. Huger and had six children, viz.: Frances Huger, Lucia Huger, Emily Huger, John Huger, Arthur Huger and William Huger.

Frances Huger, eldest child of Mr. W. E. Huger and Elizabeth Polk, his wife, married Mr. H. Labouisse.

Lucia Huger, second child of Mr. W. E. Huger and Elizabeth Polk, his wife, married Mr. Joseph Hardy.

William M. Polk, seventh child of Leonidas Polk, Bishop and General, and Frances Devereux, his wife, married Ida Lyon, and has four children: Frank Polk, Metcalf Polk, Leonidas Polk, Serena Polk.

Lucia Polk, eighth child of Leonidas Polk, Bishop and General, and Frances Devereux, his wife, married Edward Chapman. No children.

Mary Polk, third child of Col. William Polk by his second marriage, with Sarah Hawkins, married Mr. George Badger, had two children: Sarah Badger and Katherine Badger.

Alexander Hamilton Polk, fourth child of Col. William Polk, by his second marriage, with Sarah Hawkins, died unmarried.

Rufus King Polk, fifth child of Col. William Polk, by his second marriage, with Sarah Hawkins, married Sarah Jackson had a daughter, Sarah Polk, who married Gen. Lucius C. Polk.

George Washington Polk, sixth child of Col. William Polk, by his second marriage, with Sarah Hawkins, married Sallie Hilliard; had eight children, viz.: James Polk, Rufus Polk, Mary Polk, George Polk, Sarah Polk, Hilliard Polk, Lucius Polk, Susan Polk.

Susan Polk, seventh child of Col. William Polk by his second marriage, with Sarah Hawkins, married Kenneth Rayner and had two children: Sallie H. Rayner and Hamilton Rayner.

Andrew Jackson Polk, eighth child of Col. William Polk, by his second marriage, with Sarah Hawkins, married Rebecca Van Leer and had three children: Antoinette Polk, Anthony Van Leer Polk, and Rebecca Polk.

Antoinette Polk married Baron Charette, of France, and has one son: Anthony Van Leer Charette.

Ezekiel Polk, third child of General Thomas Polk and Susan Spratt, his wife, died at sea unmarried.

Charles Polk, fourth child of General Thomas Polk and Susan Spratt, his wife, married the daughter of

Hezekiah Alexander, and had two sons: Thomas J. Polk and Charles Polk.

Thomas J. Polk, eldest son of Charles Polk and Miss Alexander, his wife, was Capt. Thomas J. Polk, who married Sarah Moore, and moved to Tennessee. They had six children, viz.: Charles Polk, Mary Polk, Horace M. Polk, Thomas Polk, Emma Polk and Napoleon Polk.

Charles, eldest son of Capt. Thomas Polk and Sarah Moore, his wife, married L—— LeNair and had eight children, viz.: John Polk, Eugene Polk, Emma Polk, Napoleon Polk, Ella Polk, Sarah Polk, Sarah Ella Polk and Charles Polk.

Mary Polk, second child of Capt. Thomas J. Polk and Sarah Moore, his wife, married Mr. Potts, had four children, viz.: William Potts, Thomas Potts, Edgar Potts and Horace Potts.

Horace M. Polk, third child of Capt. Thomas J. Polk, married Ophelia Bitts and had five children, viz.: Mary Polk, John Polk, Evelyn and Thomas Polk, (twins), and one other child.

Thomas Polk, fourth child of Capt. Thomas J. Polk and Sarah Moore, his wife, married ——; had two children: Leonidas Polk and Clarence Polk.

Emma Polk, fifth child of Capt. Thomas J. Polk and Sarah Moore, his wife, married Mr. Bouchelle, had two children, a son, Julian Bouchelle, and another child.

Napoleon Polk, sixth child of Capt. Thomas J. Polk and Sarah Moore, his wife, I cannot trace.

Charles Polk, second son of Charles Polk and Miss Alexander, his wife, married M—— James, had five children: Mary Polk, Emma Polk, Charles Polk, Frances Polk and Henrietta Polk.

Mary Polk, eldest child of Charles Polk and Miss James, his wife, married Mr. Hunt and left two children: Mary E. Hunt and Ella D. Hunt.

Henrietta Polk, fifth child of Charles Polk and Miss

James, his wife, married Mr. Avery, had a son: Walter Avery.

Martha Polk, fifth child of General Thomas Polk and Susan Spratt, his wife, married Dr. Brevard, and had a daughter, Martha Brevard, who married Mr Dickerson, of South Carolina, left one son, Col. James Dickerson, killed in the Mexican war.

Margaret Polk, sixth child of General Thomas Polk and Susan Spratt, his wife, married Governor Nathaniel Alexander, left no children.

Mary Polk, seventh child of General Thomas Polk and Susan Spratt, his wife, married Daniel Browne, a distinguished lawyer of South Carolina, had three children, but none of them came to maturity.

James Polk, eighth child of General Thomas Polk and Susan Spratt, his wife, married the daughter of Col. Moore.

[To be continued in next issue, beginning with the William Polk branch]

THE FAMILY OF GEN. JAMES ROBERTSON.

BY LAVINIA R. (HILL) BROWN.

Gen. James Robertson was the son of John and Mary (Gower) Robertson, born in Brunswick County, Va., June 28, 1742. Nothing certain is known to the writer concerning the forefathers of John and Mary (Gower) Robertson. There is a legend that the family is of Royal Scottish descent, and investigations are now going on, that may link a chain of Robertson ancestry several centuries back. There were other sons, and one daughter born to John and Mary (Gower) Robertson, and genealogists are now engaged in tracing the lineage of some of them. James, the eldest son, went to Wake County, N. C.; there married Charlotte Reeves, daughter of George and Mary Reeves, October 20, 1768. He moved to Watauga, 1770, was instrumental in laying foundations for civil government, and spent about eight or nine years there lending all his energy to the upbuilding of this settlement; he was looked upon as a leader, and as a diplomat, had no equal. James Robertson's was a progressive mind, he desired to know more of the country west of the mountains, and with other pioneers decided to go as the "advance guard of western civilization" to Cumberland, arriving in the spring of 1779, made preparations for his family, who joined him the following winter.

History has recorded his wonderful Indian encounters, his courage, bravery, and energy, his unswerving nature, and high sense of right. There was no undertaking too great for the advancement and welfare of his beloved country. Gen. James Robertson firmly believed in the rulings of an all-wise Providence, and unselfishness was

the chief characteristic of his nature, which was proven, when he left his beautiful home, "Traveler's Rest," to spend his last days with the Chickasaw Indians, in the interest of the government; deprived of the comforts of home, and the care of loved ones, he died after a few days' illness, September 1st, 1814, and was buried in the Agency, where his remains rested until removed to Nashville, Tennessee, about 1825, and reinterred beside his wife, Charlotte, in the City Cemetery. A simple tomb marks the last resting place of General James Robertson, the pioneer of Tennessee and father of Nashville.

(No. 1.)

James Robertson, son of John and Mary (Gower) Robertson, married Charlotte Reeves, daughter of George and Mary Reeves, Jan. 21, 1768, in Wake County, N. C.; she was born in North Hampton County, N. C., Jan. 2, 1751; eleven children.

(First Generation from James Robertson.)

2. Jonathan Friar, born June 13, 1769, died Oct. 14, 1814.
3. James Randolph, born Dec. 11, 1771, killed by Indians.
4. Delilah, born Nov. 30, 1773.
5. Peyton Henderson, born July 11, 1775, killed by Indians.
6. Charlotte, born July 11, 1778, died in infancy.
7. Felix, born Jan. 11, 1781, died July 10, 1865.
8. Charlotte 2nd, born March 11, 1783.
9. William Blount, born June 15, 1785, died Oct. 23, 1837.
10. Peyton, born Dec. 8, 1787.
11. Lavinia, born Feb. 23, 1790, died Dec. 31, 1866.
12. John McNairy, born April 26, 1792.

(No. 2.)

(Second Generation.)

Jonathan Friar Robertson, son of James and Charlotte (Reeves) Robertson, married Ciddy Davis, daughter of Frederick and Fanny Davis, December, 1791; she died in Nashville, Tex., 1859; ten children.

13. Susanna, born Dec. 8, 1792, died in infancy.
14. James Randolph, born March 7, 1794, died 1850

15. Elizabeth Davis, born Jan. 16, 1796, died December, 1881.
16. Benjamin Franklin, born March 4, 1798, died Nov. 1, 1824.
17. Frederick Davis, born June 23, 1800, died 1866.
18. Henry Villars, born April 18, 1803, died 1856.
19. Peyton Henderson, born Aug. 19, 1805, died young.
20. Felix, born Aug. 10, 1807.
21. Jonathan Friar, Jr., born March 15, 1810, died 1844.
22. Francis Greves, born June 30, 1813, never married, died 1864.

(No. 4.)

Delilah Robertson, oldest daughter of James and Charlotte (Reeves) Robertson, married John Bosley, Aug. 12, 1789; eleven children.

23. James R., born Jan. 15, 1791.
24. Rachel, born Nov. 19, 1792, died in infancy.
25. Charlotte, born Feb. 28, 1794.
26. Mary, born July 20, 1796.
27. Eliza H., born Sept. 25, 1798.
28. John Beck, born Sept. 23, 1800.
29. Peyton R., born Oct. 1, 1801.
30. Maria, born October, 1806.
31. Lavinia Beck, born Dec. 22, 1808.
32. Delilah, born Feb. 28, 1811.
33. Rachel 2nd, born May 14, 1814.

(No. 7.)

Dr. Felix Robertson, son of James and Charlotte (Reeves) Robertson, married Lydia Waters, of Maryland, Oct. 9, 1808; eight children.

34. James W., born Feb. 18, 1812, died 1836.
35. Elizabeth Anderson, born July 23, 1813, died Dec. 19, 1891.
36. Benjamin Barton, born 1815, died 1815.
37. Mary Jordan, born 1816, died 1871.
38. Elenora Reeves, born 1818, died 1880.
39. John E. Beck, born 1820.
40. Felix Robertson, born 1826, died 1827.

41. Felix Randolph, born 1827, died 1862.

(No. 7) Dr. Felix Robertson was the first white child born in Nashville. He graduated in Philadelphia, at the Pennsylvania Medical College; was eminent in his profession, and was a beloved physician, philanthropist and cultured gentleman. He donated the "Correspondence" of Gen. James Robertson to the University of Nashville.

(No. 8.)

Charlotte Robertson, daughter of James and Charlotte (Reeves) Robertson, married Col. Richard Napier in Nashville, 1798; eight children.

42. James R., born Aug. 21, 1800, died 1830.

43. William Claiborne, born Feb. 17, 1804, died 1804.

44. Tennessee 1st, born June 16, 1806, died 1812.

45. Madison C., born June 9, 1808.

46. William B., born June 1, 1810, died Jan. 15, 1814.

47. Tennessee 2nd, born Feb. 3, 1813, died 1814.

48. Leroy G. W., born Nov. 23, 1817, died July 18, 1866.

49. Charlotte M., born Aug. 20, 1820, died 1844.

(No. 9.)

William Blount Robertson, son of James and Charlotte (Reeves) Robertson, married Leodocia Erwin April 5, 1807; he died in Iberville Parish, La.; eight children.

50. Tennessee, born Aug. 15, 1808.

51. James Erwin, born Aug. 19, 1810, died April 3, 1854.

52. William Blount, Jr., born Dec. 17, 1813.

53. Lavinia, born March 24, 1821.

54. Edward White, born June 13, 1823.

55. George S., born May 3, 1828, died 1831.

56. Charles Dickinson, born Feb. 5, 1830, died July 12, 1831.

57. Charles Dickinson 2nd, born June 24, 1833, died Dec. 26, 1883.

(No. 10.)

Dr. Peyton Robertson, son of James and Charlotte (Reeves) Robertson, married Ellen Davis in 1820. He was an eminent physician; six children.

58. Flavius Josephus, born 1824, died 1862.

59. James Peyton, born 1828, died 1846.

60. Alexander Campbell, born 1831, died 1853.
61. George Frederic, born 1833, died 1833.
62. Alice, born 1837.
63. John Blount; no dates given.

(No. 11.)

Lavinia, youngest daughter of James and Charlotte (Reeves) Robertson, married John E. Beck (an eminent lawyer) Oct. 9, 1808; then James B. Craighead, leaving no issue by the last marriage; two children.

64. Susanna Beck, born Nov. 5, 1807, died June, 1836.

65. Georgiana Beck, born June 24, 1811, died Aug. 6, 1881.

(No. 11) Lavinia Robertson rode horseback to Philadelphia from Nashville to complete her education, accompanied by her brother Felix, who attended Medical College.

(No. 12.)

John McNairy Robertson, son of James and Charlotte (Reeves) Robertson, married Lucy Scales; nine children.

66. Charlotte.
67. Martha Allen.
68. John; no information.
69. Lucy Ann.
70. Joe; dead.
71. James, died from an old wound, 1874.
72. Elizabeth.
73. B. Franklin; dead.
74. Ellen.

(Third Generation.)

(No. 14.)

James Randolph, son of Jonathan Friar and Ciddy Robertson, married Susar Oldham; nine children.

75. Fannie H., born Nov. 30, 1820.
76. Frédéric, born about 1821, died unmarried.
77. Eliza, born about 1824, died about 1846.
78. Medora, born about 1826, died about 1848.
79. Hays H., born about 1828, died about 1890.
80. Susanna, born 1830, died 1842.
81. James B., born 1832, died 1850.
82. B. Franklin, born 1840, died young.
83. Jimmy Jackson, born 1844, killed in C. S. A.

(No. 15.)

Elizabeth Robertson, daughter of Jonathan Friar and Ciddy (Davis) Robertson, married Leonard Cheatham Sept. 11, 1817; eleven children.

84. Medora Charlotte, born Jan. 16, 1819, died Feb. 3, 1880.
85. Benjamin Franklin, born Oct. 20, 1820, died Sept. 4, 1886.
86. Sarah Pope, born March 6, 1822, died Feb. 19, 1846.
87. Felix Robertson, born April 30, 1824, died Jan. 22, 1893.
88. John Anderson, born June 6, 1826.
89. Martha Eliza, born Jan. 21, 1828.
90. Maria Louise, born Aug. 17, 1829, died Jan. 15, 1894.
91. Leonora, born March 25, 1831, died Feb. 24, 1863.
92. Ada Byron, born Dec. 11, 1833, unmarried.
93. Alice B., born Jan. 26, 1836, died April, 1893.
94. Samuella, born Jan. 30, 1839, died Jan. 15, 1860.

(No. 16.)

Benjamin Franklin Robertson, son of Jonathan Friar and Ciddy D. Robertson, married Martha Goodloe, of Maury County, Tenn.; one child.

95. Mary Eliza, born Aug. 23, 1824.

(No. 17.)

Dr. Frederic Davis Robertson, son of Jonathan Friar and Ciddy (Davis) Robertson, graduated in Philadelphia Medical College, lost his hearing, became a dentist, and lived in Plaquemine, La.; was greatly beloved by his relatives and friends.

(No. 18.)

Henry Villars Robertson, son of Jonathan Friar and Ciddy (Davis) Robertson, married Rebecca Oldham Dec. 28, 1828, at Brunswick, Va.; she died in Texas; ten children.

96. John Davis, born June 20, 1830, died Aug. 8, 1830.
97. Wm. Howard, born Nov. 8, 1832.
98. D. Hardeman, born July 18, 1834, died Nov. 10, 1866.
99. Henry Oldham, born Sept. 11, 1836.
100. Benj. Franklin, born June 11, 1840.
101. Louise Francis, born Sept. 16, 1841, died Sept. 13, 1866.
102. Bettie R., born Feb. 11, 1843.
103. James R., born Feb. 13, 1846.
104. Susan Fee, born Oct. 23, 1847, died July 15, 1872.

105. Leonora Rebecca, born June 2, 1850, died Aug. 10, 1867.

(No. 20.)

Felix, son of Jonathan Friar and Ciddy (Davis) Robertson, married a Miss Cannon, and was living in Texas; no other information.

(No. 21.)

Jonathan Friar, Jr., married Miss Dunn; no other information.

(No. 23.)

James R., son of John and Delilah (Robertson) Bosley, married Elizabeth Scales; six children.

106. Elizabeth; no dates given.

107. Charles; no dates given.

108. Adaline; no dates given.

109. Sarah Ann; no dates given.

110. James; no dates given.

111. Eliza; no dates given.

(No. 25.)

Charlotte, daughter of John and Delilah Robertson Bosley, married George Witt Feb. 14, 1815; married second to John Drake Sept. 3, 1818; married third to John Wilkerson; issue by first; one child.

112. Georgetta Witt.

(No. 26.)

Mary, daughter of John and Delilah (Robertson) Bosley, married William Drake Oct. 31, 1817; eight children.

113. Benj. F., born Sept. 10, 1818, died January, 1894.

114. John B., born Jan. 10, 1820.

115. William H., born Aug. 20, 1823.

116. Josiah E., born Jan. 25, 1825.

117. Susanna F., born Nov. 1, 1828.

118. James R., born April 4, 1826.

119. Elizabeth D., born Aug. 30, 1831.

120. Harriett E., born Oct. 9, 1834.

(No. 27.)

Eliza H. Bosley, daughter of John and Delilah (Robertson) Bosley, married John McAllister, then Benjamin Neblett, May 25, 1824, in Nashville; six children.

- 121. Eliza Ann McAllister, first marriage.
- 122. John Neblett, second marriage, dead.
- 123. Charlotte, second marriage.
- 124. Marietta, born Oct. 12, 1833, second marriage, died April 2, 1886.
- 125. Rachel, second marriage.
- 126. Benjamin, killed in C. S. Army.

(No. 29.)

Peyton Randolph, son of John and Delilah (Robertson) Bosley, married Catherine Sanders Oct. 31, 1831; two children.

- 127. John, born Sept. 22, 1832.
- 128. Hub; no dates.

(No. 30.)

Maria Bosley, daughter of John and Delilah Bosley, married Henry Neblett Oct. 22, 1822; five children.

- 129. John; no dates; never married.
- 130. Lavinia; no dates.
- 131. Robert; no dates.
- 132. William.
- 133. Maria Henry; no dates.

(No. 31.)

Lavinia Beck, daughter of John and Delilah Bosley, married McNairy Newell June 25, 1827; six children.

- 134. John McNairy, born April 26, 1830.
- 135. Robert Stothart, born Sept. 15, 1832, died 1849.
- 136. Jane Delilah, born Dec. 13, 1833, died.
- 137. Mary Eliza, born April 30, 1835, unmarried.
- 138. Tennessee, born Sept. 20, 1837, died in infancy.
- 139. Charlotte Robertson, born Sept. 12, 1839, unmarried.

(No. 32.)

Delilah, daughter of John and Delilah Bosley, married Jeremiah Scales; four children.

- 140. Mary Eliza, born April 1, 1834.
- 141. Joseph Henry, born Sept. 1, 1836.
- 142. Martha, born 1838.
- 143. Ann Delilah, born 1840.

(No. 33.)

Rachel, daughter of John and Delilah Bosley, married Jeremiah Scales (her brother-in-law); five children.

- 144. William, married; no information.
- 145. James, dead; no other information.
- 146. Adaline, dead; no other information.
- 147. Charlotte, dead; no other information.
- 148. George, dead; no other information.

(No. 34.)

James W. Robertson, son of Dr. Felix and Lydia (Waters) Robertson, left descendants; they settled in Louisiana; have no information of them.

(No. 35.)

Elizabeth Anderson, daughter of Dr. Felix and Lydia (Waters) Robertson, was married July 17, 1834, to Thomas Smith; three children.

- 149. Samuel Granville, born April 15, 1835, unmarried.
- 150. Mary Lydia, born June 17, 1836.
- 151. Felix R. Robertson; no date.

(No. 37.)

Mary Jordan Robertson, daughter of Dr. Felix and Lydia Robertson, married Frank Sullivan in 1840; one child.

- 152. Felix R.

(No. 38.)

Elenora Reeves Robertson, daughter of Dr. Felix and Lydia (Waters) Robertson, married Duncan Hennen in 1836; two children.

- 153. Anna Barker, born 1837, died 1879.
- 154. Lydia, born 1840, died 1869.

(No. 39.)

John E. Beck Robertson, son of Dr. Felix and Lydia (Waters) Robertson, married Mary L. Oldham in 1842; eight children.

- 155. Elenora, born 1845.
- 156. Felix, born 1847, died 1894. } Twins.
- 157. Thomas. }
- 158. Frank L., born 1849, unmarried.
- 159. Mary L., born 1851, died 1867.
- 160. William R., born 1853.

161. Minnie R., born 1855.

162. Neppie, born 1857.

(No. 41.)

Felix Randolph Robertson, son of Dr. Felix and Lydia Robertson, married Mary McKenzie in Arkansas in 1858; two children.

163. James H., born 1849.

164. Mary Lydia, born 1851.

(No. 42.)

James R. Napier, son of Col. Richard and Charlotte (Robertson) Napier, married Hannah Van Leer in Nashville Jan. 20, 1820; six children.

165. James Blount, born Oct. 3, 1821.

170. Margaret, born Nov. 13, 1832.

166. Richard, born June, 1823, died in infancy.

167. Charlotte E., born April 22, 1825.

168. Morgiana, born Feb. 9, 1827.

169. Richard C., born Oct. 23, 1829, died March 10, 1834.

170. Margeret, born Nov. 13, 1832.

(No. 45.)

Madison C. Napier, son of Col. Richard and Charlotte R. Napier, married Mary Eliza Burch March 3, 1831; second marriage to Louise Davis (no other information of this family); eight children.

171. John Burch, born Aug. 5, 1833, died Oct. 8, 1834.

172. Francis, born Jan. 9, 1835, died.

173. Eugenia Ella, born Sept. 1, 1836, died.

174. Julia Elizabeth, born March 22, 1838, died.

175. Ophelia A., born Nov. 1, 1839, died.

176. Ann Eliza, born May 4, 1842, died June 11, —.

177. William, second marriage.

178. Ada, second marriage.

(No. 48.)

Leroy G. W. Napier, son of Col. Richard and Charlotte Napier, married Fannie Robertson (daughter of James Randolph Robertson) Aug. 27, 1837; she died April 17, 1888; twelve children.

179. Fenno Robenia, born Nov. 10, 1839.

- 180. Randolph R., born July 23, 1841, died 1865.
- 181. Baby girl, born May 7, 1843, died 1843.
- 182. Samuel Howland, born April 1, 1846, died 1865.
- 183. Silena Johnson, born March 17, 1848, died January, 1879.
- 184. Robert Emmet, born Oct. 3, 1849, died November, 1857.
- 185. Idi Corinne, born July 30, 1851.
- 186. Fannie Lorena, born July 13, 1853.
- 187. Baby boy, born May 21, 1855.
- 188. Hazel, born June 21, 1857.
- 189. Frederick, born July 27, 1859.
- 190. Baby girl, born May 21, 1862.

(No. 49.)

Charlotte Mary, daughter of Col. Richard and Charlotte (Robertson) Napier, was married to James L. Riggs Aug. 10, 1837.

(No. 50.)

Tennessee Robertson, daughter of William Blount, Sr., and Leodocia (Erwin) Robertson, married George Sharp; three children.

- 191. William J.; no dates.
- 192. Leodocia; no dates.
- 193. Elizabeth; no dates.

(No. 51.)

Col. James Erwin Robertson, son of William Blount, Sr., and Leodocia (Erwin) Robertson, married Miss Schlater, of Iberville Parish, June 10, 1830; eight children.

- 194. T. Amelia, born Sept. 3, 1833, died 1838.
- 195. Leodocia, born Sept. 1, 1837, died 1881.
- 196. Tennessee, born Oct. 5, 1839.
- 197. James Michael, born May 9, 1843.
- 198. Frederic Davis, born Nov. 25, 1844.
- 199. Mary Jane, born Aug. 18, 1846.
- 200. William Blount, born Nov. 25, 1847.
- 201. Edward White, born Sept. 18, 1849, died April 22, 1875.

(No. 51) Col. James Erwin Robertson was a member of the Legislature (1851) of Louisiana.

(No. 52.)

Judge William Blount Robertson, Jr., son of William B. and Leodocia (Erwin) Robertson, married Mary Jane Chinn, daugh-

ter of Judge Chinn, of West Baton Rouge, April 16, 1838; thirteen children.

- 202. William Blount, born 1839.
- 203. Elizabeth Johnson, born Oct. 31, 1840.
- 204. Thomas Chinn, born May 13, 1842.
- 205. Benjamin Collins, born July 20, 1844.
- 206. James Erwin, born Aug. 1, 1845.
- 207. Leodocia Erwin, born Dec. 3, 1847.
- 208. Mary Chinn, born Jan. 1, 1850.
- 209. Tennessee, born Oct. 12, 1852.
- 210. Ernestine Schlater, born Oct. 11, 1855.
- 211. Bolling Chinn, born June 19, 1858.
- 212. Francis Conrad, born Dec. 19, 1860.
- 213. Catherine Lyle, born Feb. 13, 1864.
- 214. Alexander Roth, born Aug. 7, 1867.

(No. 52.)

Judge William Blount Robertson was a distinguished lawyer and cultured gentleman. He was elected Judge of the Sixth Judicial District of Louisiana, which place he filled with honor, and died at the homestead, "Limerick" Plantation, Jan. 2, 1884.

(No. 53.)

Lavinia Robertson, daughter of William Blount and Leodocia (Erwin) Robertson, married Adolph Legendree; no issue; second marriage to Augustus Tolbot; three children.

- 215. Edward B.; no age given.
- 216. Leodocia; no age given.
- 217. Augustus; no age given.

(No. 54.)

Edward White Robertson, son of William Blount and Leodocia (Erwin) Robertson, married Mary Jane Pope April 15, 1847; twelve children.

- 218. Nathaniel Blount, born Jan. 23, 1848.
- 219. Martha Johnson, born March 12, 1849.
- 220. Samuel Matthews, born Jan. 1, 1852.
- 221. Ernestine, born May 21, 1853.
- 222. James Erwin, born May 3, 1855, died September, 1866.
- 223. Caroline, born Nov. 23, 1856.
- 224. Edward White, Jr., born July 12, 1858, died in infancy.

- 225. Charles William, born Sept. 26, 1859.
- 226. Marshall Pope, born April 26, 1861.
- 227. Cabal Breckinridge, born Aug. 5, 1862.
- 228. Frederick Conrad, born Feb. 12, 1865.
- 229. Mary Lillian, born June 19, 1867.

(No. 54.)

Hon. Edward White Robertson completed his education at the Nashville University, Tenn.; he returned to Louisiana, chose law as a profession; served several terms as a legislator; was State Auditor from 1857 to 1862. In the year 1876 was Representative from the Sixth Congressional District of Louisiana, and was elected to the Forty-fifth Congress; was re-elected to the Forty-sixth, Forty-seventh and Fiftieth Congresses.

(No. 57.)

Charles Dickinson Robertson, son of William Blount and Leodocia (Erwin) Robertson, married Laura Lucinda Kleinpeter; five children.

- 230. Peter R. Ventress, born Aug. 12, 1855.
- 231. Anna, born Dec. 12, 1857, died young.
- 232. Lucinda, born Nov. 2, 1861.
- 233. Laura, born March 23, 1870.
- 234. Mary, born July 22, 1877.

(No. 57) Charles Dickinson Robertson was educated at a Virginia college; was proficient in both English and French. (This information is from his children).

Dr. Flavius Josephus, son of Peyton and Ellen (Davis) Robertson, married Laura Brown, daughter of Gov. Aaron V. Brown, Postmaster General under Buchanan, in 1850; three children.

- 235. Nellie.
- 236. Medora.
- 237. Aaron, unmarried.

(No. 58.)

Dr. Flavius Josephus Robertson entered the Mexican War as a private, but his skill as a surgeon soon brought him rank and fame. His untiring devotion to duty as a surgeon in charge of hospitals, and utter disregard for his own health, caused his death in 1862, during the Civil War.

(No. 60.)

Dr. Alexander Campbell Robertson, son of Dr. Peyton and Ellen (Davis) Robertson, married M. E. Vaulx in 1852; he fell a martyr to duty in fighting an epidemic of yellow fever in New Orleans in 1853; no issue.

(No. 62.)

Alice Robertson, daughter of Dr. Peyton and Ellen (Davis) Robertson, married Dr. Joseph Huddleston in 1858; two children.

238. Mary Ellen.

239. Josephine.

(No. 63.)

Judge John Blount Robertson, son of Dr. Peyton and Ellen (Davis) Robertson, married Adelaide Gordy in 1857 in Louisiana; six children.

240. Adelaide; no date.

241. John Blount; no date.

242. Annie; no date.

243. Nellie; no date.

244. Peyton; unmarried.

245. Laura Brown; unmarried.

(No. 63.)

Judge John Blount Robertson became eminent in his chosen profession of law. He was the author of a History of the Mexican War; also other works preserved in the archives of Louisiana as books of value.

(No. 64.)

Susanna Beck, daughter of John E. and Lavinia (Robertson) Beck, married Robert Paine, Bishop of the M. E. Church, South; was married about 1827; two children.

246. James G., born Feb. 27, 1829, died June 4, 1887.

247. John, dead.

(No. 65.)

Georgiana Beck, daughter of John E. and Lavinia (Robertson) Beck, married John T. Hill, wholesale merchant in Nashville, Tenn.; twelve children.

248. Lavinia, born 1829.

249. Ann Eliza, born Aug. 13, 1830.

- 250. Susanna 1st, died in infancy.
- 251. John Beck, born Feb. 17, 1834.
- 252. Susanna B., born 1836.
- 253. Robert P., born 1838, died 1860.
- 254. Carrie T., born May, 1840, died December, 1873.
- 255. Felix, born March 20, 1843.
- 256. Mary, died in infancy.
- 257. Lavinia, born June 15, 1848.
- 258. William, born about 1851.
- 259. Charlotte, born Jan. 2, 1856.

(No. 67.)

Martha Robertson, daughter of John McNairy and Lucy (Scales) Robertson, married William Bell; perished in a storm in 1856 in Louisiana; she left six daughters and one son; have no other information.

(No. 66.)

Charlotte Reeves Robertson, daughter of McNairy and Lucy (Scales) Robertson, married H. Waller; left one daughter, who married, and is dead.

(No. 69.)

Lucy Ann Robertson, daughter of McNairy and Lucy (Scales) Robertson, married Harman Matta; left a son, who died with yellow fever in 1855.

(No. 72.)

Elizabeth, daughter of McNairy and Lucy (Scales) Robertson, first married Jackson; second married Pickot; left a son, who lives in Texas.

No other information in regard to the McNairy Robertson descendants.

[To be continued in the next issue, beginning with the fourth generation from James Robertson.]

THE CORRESPONDENCE OF GEN. JAMES
ROBERTSON.

[Gov. Blount's official announcement.]

At Wm. Yancey's in the ceded Territory of the
United States South of the River Ohio October 11th
1790.—

My dear Sir,

I am at length arrived qualified to
proceed on the duties of my appointment. I shall stay
on this Side of the Cumberland Mountain untill I get the
Government Organized that is untill I appoint the civil
officers of the Government and then shall come on to
Nashville as fast as possible to fill the Appointments for
the Counties of Davidson, Sumner and Tennessee— I
cannot say with Certainty when you may expect me but
you may rely no unnecessary delay will take place.— If
Major Farragut is with you he may wait my Coming or
not as is most convenient and agreeable to himself. I am
dear Sir with very sincere esteem

Your obedient Servant

WM. BLOUNT

[John Sevier writes the news from Congress.]

PHILADELPHIA, 10th January, 1791.

Dear Sir,

THE news of this place is not very material. Many
things are before Congress, but not much finished— A
land office bill is before the house, and 30 cents per acre
is proposed to be the price of our Federal lands. An ex-
cise bill is also on the carpet, for imposing duties on dis-
tilled spirits, stills, &c., though this, I hope, will not

reach us. The news from Europe is, that Britain and Spain continue indefatigably their preparations for war; and it is thought, by many, that blows will inevitably follow. I am of opinion, should the excise bill be passed, we shall derive great benefits from it; (proviso) we can keep clear ourselves, as it would have a direct tendency to encourage emigration into our country, and enable us to sell the production of our own distilleries, lower than our neighbors.

General Harmer's expedition is much reprobated by many here, and it is generally believed, that the Northern Indians will be very troublesome the ensuing summer. A very cold winter here, which in a great measure prevents the sending of letter; but shall do myself the honor of communicating to you, everything of importance that occurs, on every suitable opportunity. Kentucky is to be admitted a member of the union in June, 1792.

I have the honor to be, Sir,
with sentiments of esteem
and much regard, your
most obedient and humble servant,
JOHN SEVIER.

[To Gen. James Robertson from Piamingo, Chief of the Chickasaws.]

CHICKASAW NATION LONG TOWN august the 9th 1795
My Dear friend and brother

The bearer of this is a man that has had three of his horses stolen by your people and it is my request that you will try to git them for Him as Mr Peachlen can tell you the names of the people that stole them and if you canot git them for him if you should think that you will be no looser give him other horses in their place—but try all that you can to find them out and have them returned to the owner for he is a very good man and I hope you will git his horses for him for you Know that there is mad people among your people as well as mine so that

the owner of the horses carries this and is very uneasy about them and I hope you can git them for him—it seems that the people that stole them had lost horses on the Road by the Chactaws but its hard for our people to loose horses for that and as the man that owns the horses has come to see you Not on the beging line I hope you will give him some trifel to Remember you—from your friend and Humble Servant

PIAMINGO.

[This letter has no signature. Its tenor would indicate that it was written by Gen. James Robertson to Gov. Blount, or to some officer of the United States. It is not in Gen. Robertson's hand writing. It was probably copied by a clerk, and filed among Gen. Robertson's papers.]

NASHVILLE 25th of August 1791.—

Sir,

With this letter you will receive the Memorial of the Officers civil & Military in the Districts of Mero, In addition to the representa— in it, and Since the date thereof the Indians have killed two men, one at his own house, the other horse hunting, and have stolen a number of horses.—

I have taken the liberty, knowing your particular anxiety for our wellfare, to forward the business to your hands, fully expecting that thro you, it will meet with the most speedy passage.

I am well assured that our not having received adequate protection, is owing to our silence, and remote situation, a full proof of which we have in our neighbors, the Kentuckians, who are most amply protected. It is my belief that the Indians entertain an opinion, that the United States are not warmly interested for our wellfare, the fixing a few garrisons by the Authority of the United States would convince, and most incredibly deter them.

The Indians who committed those depredations have been followed, and their course was for the Creek Nation.

[From Gov. Blount on Indian Treaty and matters of Government.]

McCOBB'S (or Mr. Cobb's) September 3d 1791

Dear Sir,

I have obtained leave of Absence from the Territory after the 15th Instant for about two Months to remove my family from the Territory.— I shall be living at Knoxville by the 10th December at farthest.— The President acknowledges by the Secretary at War the Receipt of the Treaty but makes no Observations on it, I suppose it will be ratified as soon as the Senate meets which is on the 4th day of October.— By Major Mountfarence I forwarded a Plan of Defence of Cumberland by stationing of regular Troops which I have Hopes will be agreed to.— The Treaties with Indians passed unobserved inviolate and it is the duty of every officer so to speak and act for they have sworn to support the Government and the Government will support them— All Treaties made or to be made shall be the supreme Law of the Land— hence all Treaties with Indians are the Law of the Land.— The Grand Jury would ——— the bill against Cox and others which has given the Company a sort of triumph in the Eyes of ignorant People over Government but be assured the United States have other means in store to prevent them from forming a settlement at the Muscle Shoals or on any Indian Lands and altho' they cannot succeed I foresee they will yet give more trouble— Take care that none of your ignorant People are mislead.— I hope your Grand Jury if occasion offers will do better.— Judge Anderson will be at your Court, I am highly pleased with him both as a man and as a Judge; he has been a Major in the Continental Service continued to the end of the War, has supported since the Character of a good Citizen, is a genteel man and a learned Judge and a very agreeable open Companion.— I have made Judge Campbell acquainted with

the Presentment of the Grand Jury and I think he will accompany Judge Anderson.—

I am dear Sir with much esteem

Your obt Servant

WM. BLOUNT

General Robertson.

[Gov. Blount to Gen. Robertson on Government affairs.]

McCOBB'S (or Mr. Cobbs) September 21st 1791.

Dear Sir

I received your letter by General Smith and return you my Thanks for the particular manner you have related the Conversation with Brown— I need not inform you that I wished much to have pleased him and am very sorry that I failed. I wish you had mentioned your Son to me before for I have already recommended the three officers for the Company which I have advised the raising of in this Territory but I much doubt whether any of them will be appointed because it is my opinion that some of the Troops now over the Ohio in Service will be sent to this Territory and none raised here.— Should anything of the kind happen in future I will attend to him. I have forwarded a Plan of Defence of Cumberland to the Secretary of War by Mountfarence which I hope will be adopted— Mr. Jackson has sent it and can communicate the contents to you.— I have informed the Secretary of War of all the Depredations committed by the Creeks and have been able to give him Proofs of seven Murders and by his ——— I have written to McGillivray on the subject.— ——— Cherokee Chiefs admit the young White was killed by a Party of their Nation but say it was a Party that had been to the Northward and did not Know of the peace this being the case which is probable from the ——— it cannot be construed into a violation of it. This will be handed to you by Judge Anderson whose Conduct here both as a Man and as a Judge has met the

approbation of the People in general as well as of myself and I recommend him to your warmest attention.

On my return from North Carolina which shall be in two Months or thereabouts I will bring a full Power from ——— Blount to settle all matters respecting their Lands but in the meantime you may rely on having the Peace conveyed to you that you wrote about on my return and may act accordingly. I set out in the Morning to visit my family and dear Sons. With very sincere regard and esteem Your obedient servant

WM. BLOUNT.

The Judge brings your
Commissions
Brigadier General Robertson
Mero District

[Extract of a letter from General Knox to Governor Blount dated Philadelphia, Nov. 19th, 1791.]

“Your reasons for appointing three deputies to reside with the Cherokees, Chickasaws and Chactaws are conclusive, and the business will probably be acted upon decisively by the President of the United States, as soon as a law shall be passed, ascertaining their duties and compensations.”

“The closing paragraph of this letter affords me pleasure— I am authorized by the President of the United States, to tender you his thanks for the able manner in which you conducted the Treaty, and for the zeal you uniformly evinced to promote the interests of the United States, in endeavoring to fix a peace on the basis of justice and humanity.— and I beg leave to add Sir, that in pursuance of so good a work, you will never want the firm support of the Supreme executive of the United States.

EDITORIAL NOTES.

THE FIRST CONSTITUTION.

Below is reproduced from Stith's History of Virginia the famous "First Constitution." This constitution was enacted by the London Company in 1621 in response to the petitions of the First Legislative Assembly in 1619. These petitions were quoted, in part, in the January number of this magazine.

This remarkable document is the first, and with the exception of Locke's Grand Model is, perhaps, the only legal instrument emanating from English authority for the government of any American colony which was denominated a "*constitution*." The term "*charter*" indicates an instrument granted by superior authority. The term, constitution, at least in its modern sense, indicates an instrument adopted by a free people for their own government.

The use of the word, constitution, would seem to indicate a sentiment in the London Company, that they regarded the colonists as an integral part of "The Virginia Company of Adventurers," and that the instrument was intended to regulate the relations between the English and the American branches of the Company, and was, in itself a great step towards acknowledging that the colonists possessed inherent rights. But whatever construction may be placed upon the use of the word, it is interesting to find it employed at this early date of our colonial history. We feel instinctively that the term was gratifying to our ancestors.

This constitution, as given by Stith, is an authentic copy of the original, except that Mr. Stith evidently took

the liberty of editing it to conform to the standards of 1747. In the 126 years which intervened between the execution of this document in 1621 and the publication of Stith's History in 1747, the English language had undergone important changes, and the voluntary and variable spelling of the 17th century had begun to give place to more conventional and permanent forms.

The following extract from the preface to Stith's History shows that the historians of that day encountered difficulties similar to those which embarrass the efforts of modern writers. After collecting valuable records for the appendix, he thus explains his reasons for omitting many which would now be valuable:

"I once intended to have added several other very curious Papers and original Pieces of Record. But I perceive, to my no small Surprise and Mortification, that some of my Countrymen (and those too, persons of high Fortune and distinction) seemed to be much alarmed, and to grudge, that a complete History of their own country would run to more than one Volume, and cost them above half a Pistole. I was therefore obliged to restrain my Hand, and only to insert these few most necessary Instruments, for fear of enhancing the Price, to the immense Charge and irreparable Damage of such generous and publick-spirited Gentlemen.

Among the important documents given in the appendix, he includes the Constitution as follows:

NO. IV.

An Ordinance and Constitution of the Treafurer, Council and Company in England, for a Council of State and General Assembly. Dated July 24, 1621.

I. **T**O all People, to whom these Presents shall come, be seen, or heard, The Treafurer, Council and Company of Adventurers and Planters for the City of London for the first Colony of *Virginia*, send Greeting. KNOW YE, that we the said Treafurer, Council and Company,

taking into our careful consideration the present State of the said Colony of *Virginia*, and intending, by the Divine Assistance to settle such a Form of Government there, as may be to the greatest Benefit and Comfort of the People, and whereby all Injustice, Grievances, and Oppression may be prevented and kept off as much as possible from the said Colony, have thought fit to make our Entrance, by ordering and establishing such Supreme Councils, as may not only be assisting to the Governor for the time being, in the Administration of Justice, and the Executing of other Duties to this Office belonging, but also by their vigilant Care and Prudence, may provide, as well for a Remedy of all Inconveniences, growing from time to time, as also for advancing of Increase, Strength, Stability, and Prosperity of the said Colony:

II. We therefore, the said Treasurer, Council, and Company, by Authority directed to us from his Majesty under the Great Seal, upon mature Deliberation, do hereby order and declare, that, from hence forward, there shall be TWO SUPREME COUNCILS in *Virginia*, for the better Government of the said Colony afore said.

III. The one of which Councils, to be called THE COUNCIL OF STATE (and whose Office shall chiefly be assisting, with their Care, Advice, and Circumspection, to the said Governor) shall be chosen, nominated, placed, and displaced, from time to time, by Us the said Treasurer, Council and Company, and our Successors: Which Council of State shall consist, for the present, only of these Persons, as are here inserted, *viz.* Sir *Francis Wyatt*, Governor of *Virginia*, Captain *Francis West*, Sir *George Yeardly*, Knight, Sir *William Neuce*, Knight Marshal of *Virginia*, *George Sandys*, Treasurer, Mr. *George Thorpe*, Deputy of the College, Captain *Thomas Neuce*, Deputy for the Company. Mr. *Pawlet*, Mr. *Leech*, Captain *Nathaniel Powell*, Mr. *Christopher Davison*, Secretary, Doctor *Pots*, Physician to the Company, Mr. *Roger Smith*, Mr. *John Berkeley*, Mr. *John*

Rolfe, Mr. Ralph Hamer, Mr. John Pountis, Mr. Michael Lapworth, Mr. Harwood, Mr. Samuel Macock. Which said Counsellors and Council we earnestly pray and desire, and in his Majesty's Name strictly charge and command, that (all Factions, Partialities, and sinister Respect laid aside) they bend their Care and Endeavours to assist the said Governor; first and principally, in the Advancement of the Honour and Service of God, and the Enlargement of his Kingdom amongst the Heathen People; and next, in erecting of the said Colony in due Obedience to his Majesty, and all lawful Authority from his Majesty's Directions; and lastly in maintaining the said People in Justice and *Christian* Conversation amongst themselves, and in Strength and Ability to withstand their Enemies. And this Council, to be always, or for the most Part, residing about or near the Governor.

IV. THE other Council, more generally to be called by the Governor, once Yearly, and no oftener, but for very extraordinary and important Occasions, shall consist, for the present, of the said Council of State, and of two Burgesses out of every Town, Hundred, or other particular Plantation, to be respectively chosen by the Inhabitants: Which Council shall be called THE GENERAL ASSEMBLY, wherein (as also in the said Council of State) all Matters shall be decided, determined, and ordered, by the greater Part of the Voices then present; reserving to the Governor always a Negative Voice. And this General Assembly shall have free Power to treat, consult, and conclude, as well of all emergent Occasions concerning the Publick Weal of the said Colony and every Part thereof as also to make, ordain, and enact such general Laws and Orders, for the Behoof of the said Colony, and the good Government thereof, as shall, from time to time, appear necessary or requisite;

V. WHEREAS in all other Things, we require the said General Assembly, as also the said Council of State, to imitate and follow the Policy of the Form of Govern-

ment Laws, Cuftoms, and Manner of Trial, and other Adminiftration of Juftice, ufed in the Realm of *England*, as near as may be, even as ourfelves, by his Majefty's Letters Patent, are required.

VI. PROVIDED, that no Law or Ordinance, made in the faid General Affembly, fhall be or continue in Force or Validity, unlefs the fame fhall be folemnly ratified and confirmed, in a General Quarter Court of the faid Company here in *England*, and fo ratified, be returned to them under our Seal; It being our intent to afford the like Meafure alfo unto the faid Colony, that after the Government of the faid Colony fhall once have been well framed, and fettled accordingly, which is to be done by Us, as by Authority derived from his Majefty, and the fame fhall have been fo by us declared, no Orders of Court afterwards fhall bind the faid Colony, unlefs they be ratified in like Manner in the General Affemblies. IN WITNESS whereof we have hereunto fet our Common Seal, the 24th of *July* 1621, and in the Year of the Reign of our Sovereign Lord, *JAMES*, King of *England*, &c. the **** and of *Scotland* the ****.

SPENCER—THE EFFECT OF A COMMA.

There has been some uncertainty as to the Christian name of Spencer, one of the early pioneers of Tennessee, and the only one around whose exploits linger legends which partake of the marvelous. Many American pioneers were heroes, but modern heroes, performing brave deeds, great deeds, but invested with none of the extravagant attributes which render Ancient History ludicrous. A few legends, mildly romantic, still within the bounds of possibility, linger around Spencer. It is said that he was a man of immense stature, and wonderful strength. He came to the Cumberland country, before its settlement, in company with a party of hunters.

When his last comrade concluded to return home, Spencer decided to remain. He accompanied his comrade a short distance, and in parting, divided with him his scanty store, and broke in half the only knife in the Cumberland country, giving the comrade one part, and himself retaining the other. He then returned to the camping ground, and lived alone in a large hollow tree. This may have been true. At least, this much proof exists: The place is marked, and is still pointed to, as the spot where the tree formerly stood. It is related that Spencer had an immense foot. Upon one occasion a party of Indians, seeing Spencer's footprints in the mud, immediately fled from the country in terror.

That Spencer was an early pioneer, and that he was a man of remarkable strength and courage, is undoubted. Many interesting facts concerning him are historic. He has descendants still living in Tennessee, and "Spencer's Choice" in Sumner County still bears his name.

The earliest historian of Tennessee, Judge John Haywood, alludes to "Thomas Sharp, Spencer, and others." In another place, he alludes to "Thomas Sharp, Spencer and John Holliday." In all other allusions, he calls him simply "Spencer." The comma after Thomas Sharp, would indicate that there were two men, one named "Thomas Sharp," and the other named "Spencer."

Ramsey follows Haywood, with the identical expression, and the same commas. Other historians give the name simply as "Spencer." Phelan gives the name as "James Spencer."

Mr. John Carr, himself a pioneer, in his pleasant work, "Early Times in Tennessee," claims to have known Spencer personally, and devotes one chapter of his book to an interesting sketch of him. He gives the name as "Thomas Sharpe Spencer." Putnam, in his History of Middle Tennessee, also, gives the name as "Thomas Sharp Spencer."

This is undoubtedly the correct name. The doubt originated with Judge Haywood's *comma*.

The following letter from Prof. Brunner, strengthens the pioneer legends:

HIWASSEE COLLEGE, TENN., February 24, 1896.

Editor Historical Magazine:

Some people are slow to believe the statement that Tennessee pioneers sometimes lived in hollow trees. Such persons should remember that there were giant trees in those days. When I was a boy there stood in my father's meadow a hollow stump of a sycamore or buttonwood tree, that measured eleven feet in diameter, inside the shell.* Your Geometry will show you that this shell enclosed a space of ninety-five square feet—a space a little short of that afforded by the silken tent of Dr. Nansen and party in search for the North Pole. We can safely credit the statement that hunters often lived in hollow trees.

Very truly,

J. H. BRUNNER,

(Ex-President.)

GOWER GENEALOGY.—A QUERY.

Mary Gower, wife of John Robertson, of Brunswick County, Va., was mother of Gen. James Robertson.

Marriage bond, Davidson County, Tenn., Nov. 20, 1797, to John Miller and Prudence Gower.

Marriage bond, July 8, 1800, James Reeves and Polly Gower, signed by James Reaves and James Robertson.

Russell Gower was living in Davidson County in 1783; Wm. Gower in 1805.

Alex. K. Gower died 1815 leaving Ephraim, Tiba, Minerva, and David. His wife was Edith. Who can throw light on this genealogy?

GRANVILLE GOODLOE.

Arkadelphia, Arkansas.

*I stood by and saw it measured.

Mr. F. A. Winder of Southsea, Portsmouth, England, has furnished this magazine with valuable transcripts from English records. Although a surveyor by profession, he seems to get through a considerable quantity of genealogical work for his American cousins, as he is pleased to call them. He stands as high authority, and is the author of several genealogical works, and has traced the pedigrees of a number of American families of English descent.

The following announcement from the *Daily News*, London, may be of interest to historians:

“A document of the highest interest for those who are concerned in the history of the early settlement of North America is about to be published by Messrs. Ward and Downey. It is a facsimile by a photographic process of Governor Bradford’s autograph manuscript account of the voyage of the Mayflower, and the foundation of the Plymouth ‘Plantation’ or colony, as we now say. It is in a small and singularly neat and legible hand, without erasures or interlineations, and has, it is believed, never been published before in this country in any form. It extends altogether to 280 folio pages, and contains an account of the settlement in Holland, first at Amsterdam, and afterwards at Leyden, of the community of Puritan Separatists, commonly known as Brownists; of their departure from Holland and embarkation at Southampton in 1620 in the ship Mayflower; of the voyage of the Pilgrim Fathers in the Mayflower to America, of the foundation by them there of ‘Plimoth Plantation,’ and of the history and government of the Plantation until 1646. It contains also ‘the names of those which came over first, in the year 1620, and were the founders of the colonies in New England, and their families.’ The manuscript belongs to the library at Fulham Palace. It has been conjectured that it was brought to England at the time of

the American War; but there is no reference to its existence in America later than 1767. Up to 1854 American students of the history of their country failed to trace it, and Dr. Young, in his 'Chronicles of the Pilgrim Fathers' (published in 1841) refers to it as 'hopelessly lost.' Attention was, however, in 1854, directed to its resting place by passages and citations in 'A History of the Protestant Episcopal Church of America,' by Samuel Wilberforce, Bishop of Oxford. Leave was obtained to transcribe the MS., and it was published by the Massachusetts Historical Society in their 'Collections' in 1856. The facsimile will be accompanied by an Introduction by Mr. J. A. Doyle, Fellow of All Souls, Oxford."

A very interesting and instructive paper on Southern Literature was read by Prof. T. S. Minter, of Bryan, Texas, before the Educational Association, and is published as one of the series of leaflets by B. F. Johnson and Company, Richmond, Va.

Studies in the Constitutional History of Tennessee by Joshua W. Caldwell. Cincinnati: The Robert Clarke Company, 1895.

This is an interesting and valuable treatise of 173 pages on the political institutions of Tennessee. The author alludes to it, in the preface, as "a series of short studies of certain political aspects of the political life of Tennessee." "It does not aspire," he says, "to the dignity nor to the completeness of a constitutional history of the State." The author's modest estimate does injustice to the value of his work.

To the general reader, or to the student of history, it is more valuable and far more interesting than a minute and consecutive rehearsal of all the legislative and political phases through which the State has passed. The work is partly legal, and partly historical, present-

ing the salient features of Tennessee institutions, with their changes and gradual evolution, as developed by the social characteristics of the people and the peculiarities of their environment.

The social life, and the characteristics of the people at successive stages are vividly portrayed, and the portraits of the several leaders and representatives find appropriate place in the picture.

The subject is treated in chronological order:

I. The Watauga Association. The Watauga Compact, the first constitution framed by native Americans. The Coming of the Scotch, Irish, etc.

II. The Cumberland Association. The Cumberland Articles, and their similarity to the Watauga Compact.

III. The State of Frankland. Its constitution, and its political relations.

IV. The Cessions. Territorial government, and steps towards Statehood.

V. The Constitution of 1796. Its feature, peculiarities and defects. The political and social developments, etc.

VI. The Constitution of 1834. Its features. Movement to locate the capitol on the "center of gravity of the State." Social and political developments.

VII. The Constitution of 1870. Peculiar circumstances under which it was adopted. Not representative of existing conditions. Its defects. Social and political developments. Need of a new Constitution.

The Southern States of the American Union, Considered in their Relations to the Constitution of the United States and to the Resulting Union. By J. L. M. Curry. Richmond, Va.: B. F. Johnson Publishing Co. New York and London: G. W. Putnam's Sons.

This book is the strongest presentation of the subject which has been written on either side since the Civil

War. Any attempt to present a short summary of its contents would be futile. Its 248 pages condense an historical review of the operation of the centrifugal and centripetal forces of the United States in such graphic and simple form, that the book is at the same time, both a summary and a treatise.

Besides being a complete defence and vindication of the South, the work is eminently patriotic. It illustrates the relations between the geographical sections of the Union as the several factors of its greatness. It shows their mutual dependence, and points out how each in turn, at different periods of history, has been restrained from separation by the rulings of an all-wise Providence.

It defends the Southern people from unjust incrimination. It defends them in their own eyes, in the eyes of the other sections, and before the world. No foreigner can arise from its perusal without a clear comprehension of the relations between the geographical sections of the United States, and a feeling of respect for the Southern section. No Northern man can read this work without a conviction of the patriotism and manliness of Southern character. Every Southern man who reads it must feel a throb of pride, and a glow of patriotism.

For these reasons, it is an excellent work to be used in our educational institutions.

We belong to a proud race. Peoples of Anglo-Saxon descent can love no country which humiliates them. Their patriotism must be founded upon love and pride. To make our children patriots, we must make them proud of their country, proud of the part their ancestors took in building it, and in developing it. There has been too much of the miserable fallacy, that the South has been a drone in the hive, a dissatisfied hanger-on in the Union.

Dr. Curry's work effectually dispels this view, and while devoted especially to the South, yet paints a true picture of the several sections.

BOOKS RECEIVED:

Southern Literature from 1579-1895. A Comprehensive Review, with Copious Extracts and Criticisms for the Use of Schools and the General Reader, Containing an Appendix with a Full List of Southern Authors. By Louise Manly. Illustrated. Richmond, Va.: B. F. Johnson Publishing Company, 1895.

A School History of The United States. By Mrs. Susan Pendleton Lee, author of "Life of General William N. Pendleton," with Questions and Summaries for Reviews and Essays, by Louise Manly, Teacher of Literature and Language, and author of "Southern Literature." Richmond, Va.: B. F. Johnson Publishing Company, 1895.

History of Our Country. A Text-book for Schools. By Oscar H. Cooper, LL.D., Superintendent of Schools, Galveston, Texas, and Ex-Superintendent of Public Instruction for the State of Texas; Harry F. Estill, Professor in the Sam Houston State Normal Institute, Huntsville, Texas; and Leonard Semmon, Superintendent of Schools, Sherman Texas. Boston, U. S. A., and London: Ginn and Company, Publishers, 1895.

The Winders of Lorton. By F. A. Winder, Southsea, Portsmouth. Reprinted from Vol. XIV of the Transactions of the Cumberland and Westmoreland Antiquarian and Archaeological Society. Kendal: Printed by T. Wilson, 28, Highgate, 1896.

PROCEEDINGS OF THE TENNESSEE HISTORICAL SOCIETY.

The Tennessee Historical Society met at Watkin's Institute, Tuesday night March 10, with President John

M. Lea in the chair. Prof. J. T. Williams was elected an active member.

Prof. Fred K. Moore offered a resolution that in order to avoid misunderstanding as to the title to property in possession of the Society, the Secretary be instructed hereafter to receive no book, manuscript, picture or relic unless absolute ownership thereof be vested in the Society, irreclaimable either by the donor or his representatives, except where the article is lent to the Society, in which case it shall be entered in a loan book to be kept for that purpose.

The following resolution was offered by Mr. S. A. Cunningham and adopted: "That the Society cordially greet the AMERICAN HISTORICAL MAGAZINE, published at the capital of Tennessee by Prof. W. R. Garrett, and that it be regarded as the special representative of this Society."

Gen: Thruston reported that the Centennial management had agreed to construct a suitable fire-proof building upon a good site on the Centennial grounds as an Historical Hall, in which the exhibit of this Society can be safely placed, giving it such prominence as its collections deserve; also that the Historical Committee of the Centennial was already actively at work; that all interesting historical relics and exhibits belonging to other organizations would be justly provided for in this building.

The following resolution was offered by Mr. R. L. Morris and adopted:

"Whereas, this Society has, from time to time, recorded its intention of duly celebrating the Centennial of Tennessee's Statehood, by appropriate ceremonies and addresses, such intention having been made manifest by the adoption of suitable resolutions and appointment of committees, at a time, prior to the inception and organization of the present Exposition Company; and,

"Whereas, it having come to the knowledge of this Society that the managers of the Exposition have deter-

mined to have a like celebration, and not desiring that there should be any conflict of interests in that matter: therefore be it

“Resolved, that a committee, to be named by the President, be appointed to confer with the Committee on Programme and Arrangements of the Exposition ~~Company~~ to agree upon a joint celebration or that suitable place and recognition be accorded this Society in such celebration.”

The President appointed on this committee Messrs. Morris, Thruston and Quarles.

On motion of Gen. Thruston a committee, consisting of Messrs. Quarles and Goodpasture, was appointed to consider the question of devising a new seal for the Society and of preparing a certificate of membership which would conform to the corporate name of the Society.

Mr. S. A. Cunningham made a statement regarding the Samuel Davis Monument Fund. The amount received is about \$800, and interest in the erection of the monument is very general. Mr. Cunningham stated that he wished the Society should undertake the execution of the trust should he become incapacitated from doing so.

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ANDREW JACKSON, TENNESSEE AND THE UNION.

BY ALBERT V. GOODPASTURE, A.M., NASHVILLE, TENN.

For more than a quarter of a century, dating from the close of President Monroe's second administration, the influence of Tennessee was unrivaled by that of any other State in the Union. She was the third State to furnish a President to the United States, and, outside of the original thirteen, was the very first to enjoy that distinguished honor. Her people were bold, independent and self-confident, and entertained a democracy at once the most loyal to the people and the most devoted to the Union that has yet been exemplified in the republic. Andrew Jackson was the greatest leader this country has ever produced, and his political opinions and sentiments were thoroughly in accord with those of his countrymen. In his first race for the presidency, he received nearly ninety-nine and in each of his second and third races, he received more than ninety-five per cent. of the popular vote in Tennessee, a degree of unanimity rarely equalled, and to be accounted for only in the light of the conditions that obtained in the settlement of the State.

The first settlers of Tennessee were practically cut off from communication with the older settlements of the country. The great mountains lay between them and the mother State, on the east; the South was still in the possession of their savage enemies; the far West was but an unexplored French

province; and the neighboring North was yet the "dark and bloody ground" where "death was in almost every bush, and every thicket concealed an ambuscade."

In this isolated condition, for nearly a quarter of a century, her undaunted sons defended her scattered settlements against the assaults of a powerful savage foe, aided and encouraged, as they often were, by the emissaries of both Spain and Great Britain.

I venture the assertion that no other settlements, however remote, within the territorial limits of any State of the Union, were ever suffered to defend alone so unequal a war—sometimes threatening the very existence of the settlements, and a merciless extermination of their people—for so long a period, without once receiving armed assistance from their mother State. Not only did they defend their own settlements, but in the most critical period of the revolution, they won for themselves imperishable fame, in the service of the Union, east of the mountains. Utterly impotent to grant any relief to these settlements in the beginning, North Carolina appears to have been criminally indifferent to their necessities after the exigencies of the revolution had passed and left her more able to provide for their safety.

It can hardly be said that Tennessee fared better, in this respect, as a Territory of the United States, from 1789 to 1796. After North Carolina had freed herself of a responsibility she had never met, by ceding her western settlements to the United States, no Federal troops ever marched to its defense, even in its most dire extremity. The battles of the Northwest were fought by the National Government, and the story of its settlement is linked with the names of the great commanders who were sent to defend it. The only Territory of the United States that has ever been denied the protection of Federal arms was this cast-away child of North Carolina. Not only did its brave pioneers fight its battles alone, but they were misunderstood and chided by the Federal Government when they were forced, in their necessary defense, to pursue the enemy into his own country and administer to him the chastisement his merciless cruelties so richly merited.

This absolute and complete self-reliance, while it made the tragic story of her settlement more touching and more heroic than that of any other State of the Union, produced in the first settlers of Tennessee a singularly bold, hardy and patriotic people. They were, in the main, either pioneers or soldiers; that indomitable race of men who planted civilization in the wilderness—the heroes of the ax and the rifle—or the patriotic officers and soldiers who constituted the continental line of North Carolina in the revolutionary war.

Tennessee received a curious compensation from North Carolina for the painful neglect she had suffered. It proved, indeed, a rich heritage. With a bankrupted treasury and an impoverished people, it was the policy of North Carolina to constitute her western territory a fund to reward the "signal bravery and persevering zeal" of her officers and soldiers in the revolutionary war. The act of cession provided that the land laid off to the officers and soldiers of her continental line should still enure to their benefit; and if it should prove insufficient to make good the several provisions for them, the deficiency might be supplied out of any other part of the Territory. And so liberally did she compensate her war-worn veterans out of this "fund," that more than 12,000,000 acres of the choice lands of the State were consumed in their payment. Not only was the military reservation exhausted, but practically all her other lands supposed to be fit for cultivation that had not already been taken up on the occupancy and pre-emption claims of the hardy pioneers, whose rights were equally protected by the act of cession, were likewise consumed in satisfying warrants issued for military services. The result was that the great body of the land in Tennessee was originally granted, either under the occupancy claim of the pioneer settler, or upon the military warrant of the revolutionary soldier.*

Could there be a more favorable foundation for the development of the high degree of martial spirit and patriotic senti-

*The Memorial of the General Assembly of the State of Tennessee to the Senate and House of Representatives of the United States in Congress assembled—Acts of 1837-38, p. 443 *et seq.*

ment than that which has won for Tennessee the proud appellation of "Volunteer State?"

Tennessee was the first Territory of the United States to be admitted into the Union as a State, and so far as I know, is the only one to assume that relation with any degree of reluctance. The vote of the Territory was, perhaps, two to one in favor of admission, but the expression of those counties bordering on the Cumberland River was nearly five to one against it.* This grew out of the question concerning the free navigation of the Mississippi River. As it appeared to the Cumberland settlements, their country was hardly worth the privations, toil and suffering it had cost to win it, if the claim of the Spanish Government to the exclusive right to navigate the Mississippi River was to be tolerated. And only less monstrous than the Spanish claim itself was its proposed concession for a period of twenty years, in the treaty negotiated by Mr. Jay. The Mississippi River furnished the only practicable means by which they could reach the markets of the world; and the possibility of that way being closed, even for a limited time, produced the highest degree of political discontent. Some idea of their sentiments on this subject may be obtained from the Constitution adopted in 1796, after the Mississippi River had been opened by the treaty of the preceding year. It declares, "That an equal participation of the free navigation of the Mississippi is one of the inherent rights of the citizens of this State; it cannot, therefore, be conceded to any prince, potentate, power, person or persons, whatever."

The sentiment of Kentucky on this question was not different from that of Tennessee.

Two of the most romantic characters who figured in the early history of Tennessee, whose names and whose fame are inseparately linked together, were John Sevier (1745-1815) and Isaac Shelby (1750-1826). Bound together by the closest ties of friendship, they were also united in the patriotic service of their country. Together they had planned the campaign and shared the glorious victory of Kings Mountain. Together, and by name, they were called on by the mother State, to lead their

*See tabulated vote in Ramsey's History of Tennessee, p. 648.

brave followers again across the mountain. And together they received the thanks of North Carolina, for their services to the common cause, at a time when less brave and resourceful men, with even greater means, might well have feared for the safety of their own firesides. Isaac Shelby was appointed one of the commissioners to lay off the land reserved by the State of North Carolina, for the officers and soldiers of her continental line, in 1783, and the work of the commission having been completed, he moved to the State of Kentucky, and was elected the first Governor of that Commonwealth. Even Gov. Shelby refused to interpose his authority, in 1794, to prevent an armed expedition against New Orleans and the Spanish possessions.

It may be that the large vote against the application by the State of Tennessee for admission into the Union, is to be accounted for on the same theory, upon which, some years afterwards, Gov. Shelby explained his position—that is, that it was intended to hasten the action of the Government in effecting a treaty for the navigation of the Mississippi River.* If so, their purpose was soon accomplished, as Spain conceded the free navigation of the Mississippi that very year. In the meantime, however, upon this question, as well as upon the ever present Indian problem, which meant their very existence to the people of the Southwestern Territory, the administration of the Government under the Federalist party, if not positively antagonistic, was certainly very unfavorable to their views.

But with the admission of the State into the Union, the control of the Federal Government passed into the hands of the Republican or Democratic party, whose political principles were entirely in accord with the sentiments of the people of Tennessee. They were prepared, therefore, to support Mr. Madison in the second war with Great Britain; and at the first sound of the tocsin, Gen. Andrew Jackson and 2,500 Tennessee volunteers offered their services to the Government. The martial spirit of the heroic old pioneers and soldiers was on fire, and Gen. Jackson but expressed their sentiments when he offered

*Butler's History of Kentucky (Ed. 1834), page 228.

to march, if necessary, "to the line of Canada, and there offer his aid to the army of his country, and endeavor to wipe off the stain to our military character, occasioned by the recent disasters."

The massacre of Fort Mims touched another responsive chord in the hearts of the old pioneers who had suffered so much at the savage hands of their Indian foes. The feeling was expressed by Gov. Sevier, then in Congress, when he wrote: "I hope in God, that, as the rascals have begun, we shall now have it in our power to pay them for the old and for the new." At this juncture, the State of Tennessee, upon its own responsibility, made a call for 3,500 volunteers, in addition to the 1,500 men already enlisted in the service of the United States.

On the whole, the war of 1812-15 met the hearty approval of the people of Tennessee. This is a condition worthy of note, as it had an important influence on the conduct of the State and the history of the Union. The first effect was, that the disunion sentiments of the Federalists of New England, that culminated in the celebrated Hartford convention, became the most unpopular and odious that the loyal people of Tennessee could conceive. At this very time Willie Blount (1767-1835), then Governor of Tennessee, predicted that "that convention will never act with open doors; neither will they let the world know anything of their proceedings"*—a singularly accurate prophecy. But whatever else it may have done, it performed the funeral obsequies of the old Federalist party. As soon as Gen. Jackson and his Tennessee volunteers had "wiped off the stain to our military character" at New Orleans, which was almost simultaneous with the treaty of peace with Great Britain, the Federalist party was dead.

The army that enlisted under Gen. Jackson in this war contained the very flower of Tennessee chivalry, and was, beyond doubt, the grandest body of volunteers that ever took the field in America. Their commander became President of

*Manuscript letter in my possession.

the United States, and three* others of them were afterwards prominent and worthy aspirants for that distinguished honor. Of Governors and Senators and Congressmen, the number is absolutely astounding. It is not my purpose to speak of White, and Grundy, and Polk, and Bell, and Carroll and the other illustrious contemporaries of Jackson, who won their fame in Tennessee, and who would have made her eminent under any conditions. I wish rather to give prominence to the great number of their comrades, neighbors and friends, who, carrying like opinions into the Southern and Southwestern States, gave Tennessee a commanding influence in those quarters. The first two Senators from Missouri were Tennesseans. The first Governor, the first two Senators, and the first Congressman from Arkansas; the liberator of Texas, who was the first President of the Republic, and one of her first United States Senators after she was admitted into the Union; the first Governor of Louisiana, and the first Governor and one of the first Senators from California, were all Tennesseans.

Thomas H. Benton (1782-1858) began the practice of the law at Franklin, Tenn., and was a member of the Senate of that State in 1809. He was one of the earliest friends and supporters of Gen. Jackson, having been aide-de-camp on his staff, and also the Colonel of a regiment of Tennessee volunteers in the war of 1812. In 1815 he moved to the Territory of Missouri, and became one of her first United States Senators when she was admitted into the Union in 1820. His associate in the Senate was David Barton (1785-1837), who was also a Tennessean.

In 1828 there was still but one political party in the United States, Jackson, Clay, Crawford and Adams all adhering, nominally, to the Republican or Democratic party. In this situation Mr. Benton, whose wife was a niece of Mrs. Clay, supported Henry Clay for the presidency. But when the election was thrown into the House of Representatives he became the ardent supporter of Gen. Jackson, in which he never wavered or faltered afterwards until the day of his death. Even as late as 1856 he supported James Buchanan for the

*Hugh L. White, Thomas H. Benton and Sam Houston.

presidency against his own son-in-law, John C. Fremont, on the ground of his confidence that if Mr. Buchanan were elected he would restore the principles of the Jackson administration.

Sam Houston (1793-1863) grew to manhood in Blount County, Tennessee, and in 1813 enlisted as a volunteer in the service of the United States, was promoted to be an ensign, and distinguished himself in the battle of Horseshoe Bend, under Gen. Jackson. He began the study of law at Nashville in 1818, was elected District Attorney in 1819, was a Representative in Congress in 1823 and 1825 (in which position he had the honor of appointing Matthew F. Maury (1806-1873), one of his constituents, to a cadetship in the National Naval Academy), and was Governor of the State in 1827. In 1829 he resigned the office of Governor and retired to the great West in the most dramatic manner. In the West he became the great liberator of Texas, the hero of San Jacinto, the first President of the Lone Star Republic, and when she was admitted into the Union in 1847, was one of her first United States Senators. He was always a devoted personal and political friend of Gen. Jackson, whom he saw laid to rest at the Hermitage. He was elected Governor of Texas in 1859, but had his office declared vacant when the State seceded from the Union in 1861.

Clement C. Clay (1789-1866) grew up in Grainger County, Tennessee, was educated at the old Blount College (University of Tennessee) at Knoxville, studied law under the distinguished statesman and jurist, Hugh L. White, and was admitted to the bar in 1809. In 1811 he removed to Alabama, and was Chief Justice of the State at the age of thirty years. From 1829 to 1836 he was a Representative in Congress, and was a conspicuous defender of the leading measures of Gen. Jackson's administration. In 1835, when the Democratic party split on the election of Jackson's successor, Clay was elected Governor on the Van Buren ticket, in opposition to the ticket headed by his old friend, Judge White. His opponent was another distinguished Tennessean, Enoch Parsons (1776-1846), who, as a member of the Tennessee Legislature, had drawn and introduced the bill calling for 3,500 volunteers for the

relief of the Mississippi Territory, on the massacre of Fort Mims in 1813, and who, with others, had indorsed Governor Blount's note for \$20,000 to equip them. In 1839 Mr. Clay was elected to the United States Senate, and served to the close of the extra session of 1841, when he resigned on account of ill health.

What Mr. Hallum calls the reigning family in Arkansas was composed almost wholly of Tennesseans. The Conway and Sevier families were among the early pioneers of Tennessee. Thomas Conway was Speaker of the Senate, while John Sevier was Governor of the short-lived State of Franklin, while his brother, George Conway, was the first Major General of the Tennessee State Militia, and was the immediate predecessor in that position and intimate personal friend of Gen. Andrew Jackson.

James Sevier Conway (1798-1855), a son of Thomas Conway, went to Arkansas about 1820, and upon the admission of the State into the Union, became her first Governor.

Ambrose H. Sevier (1801-1848) was the son of John Sevier and Susan Conway. His father was the only son who survived the distinguished old hero of Point Pleasant and Kings Mountain, Valentine Sevier, whose career closed in so much sadness and pathos. He went to Arkansas with his cousins, the Conways, where he was first Clerk and then a member and Speaker of Territorial House of Representatives.

His cousin, Henry W. Conway (1793-1827), a native Tennessean and protege of Gen. Jackson, who, as a mere boy had served under him in the war of 1812, after having been elected in 1823 Territorial Delegate from Arkansas to Congress, and re-elected in 1825 and 1827, was killed in a duel with Robert Crittenden, and Mr. Sevier was elected as his successor, a position he continued to hold until the admission of the State into the Union in 1836.

In that year he was elected one of the first United States Senators from Arkansas, and continued in that office until 1848, when he resigned his seat, and under appointment of President Polk, negotiated, in connection with Judge Clifford, the treaty of Gaudaloupe Hidalgo, by which we acquired our vast possessions from Mexico.

The other Senator elected by the State of Arkansas in 1836 was William S. Fulton (1795-1844). In 1816, Gov. Fulton went into the law office of the celebrated Tennessee advocate and statesman, Felix Grundy, and the following year began the practice of his profession in Gallatin. In 1818 he was appointed Secretary to Gen. Jackson, and served in that capacity during the Seminole war. By appointment of President Jackson, he was Governor of the Territory of Arkansas, and upon her admission into the Union was elected one of her first Senators, and held the position until his death in 1844.

Archibald Yell (1797-1847) was the first member of Congress from Arkansas. He was a typical Tennessean. As a boy he was a Captain under Gen. Jackson in the Creek war, where he bore himself so gallantly as to attract the attention of his great commander. He also served through the Seminole war.

He was practicing law in Fayetteville, Tenn., when, in 1832, President Jackson appointed him a Territorial Judge in Arkansas. He cherished an ambition to be the first Governor of the State, but was shut out by a provision of the Constitution requiring a four years' residence to make him eligible. But he was elected her first Representative in Congress. He declined a re-election to Congress, and was elected Governor in 1840. At the request of the State Democratic Convention, in 1844, he resigned the office of Governor to enter the contest against Judge Walker for Congress. He was elected, but in 1846 he resigned his seat in Congress to take command of the Arkansas troops in the Mexican war, and fell, gallantly leading his men, at Buena Vista, closing his career, as he had begun it, in the military service of his country.

But I cannot give even a brief account of all the distinguished statesmen sent out from Tennessee. Among them I will mention Wm. C. C. Claiborne (1775-1817), an old pioneer of Tennessee, who served, with Andrew Jackson in the convention that framed the Constitution of the State, and succeeded him as a Representative in Congress when the latter was elected to the Senate. He was the first Governor of the Mississippi Territory, and was elected Governor of Louisiana when that State was admitted into the Union in 1812, and was one of her United States Senators elect when he died, in 1817. He was succeeded

by Henry Johnson (1783-1864), a near relative of Gen. Thomas Johnson, a distinguished officer in the Creek war, who had himself held a minor office in Davidson County, Tennessee, before his removal to Louisiana. He was a Senator in Congress from 1818 to 1824, and again from 1843 to 1849; a Representative from 1835 to 1839; and Governor from 1824 to 1828. Alexander Porter (1786-1844), a Senator from Louisiana, was a member of the Nashville bar while Thos. H. Benton attended her courts. He moved to Louisiana at the urgent solicitation of Andrew Jackson. On his death his remains were brought back to Nashville for interment, and now rest in the old City Cemetery. Alexander Barrow (1801-1846), was a native Tennessean, and a half-brother of Washington Barrow, a Representative in Congress from Tennessee. He began the practice of law in Nashville, and afterwards moved to Louisiana, where he was elected to a seat in the United States Senate.

Robert H. Adams (1792-1830) was one of the most gifted men this country has produced. He was a native of East Tennessee, who moved to Nashville, and thence to Mississippi, where, after attaining the highest eminence in his profession, he was elected to the United States Senate, but died the same year. Stephen Adams (1804-1857) came to Tennessee with his parents when he was three years old, and was a member of the Senate of that State in 1830, and moved to Mississippi in 1834, where, after being a Circuit Judge and member of Congress from the State at large, in 1852, he defeated Jefferson Davis for a seat in the United States Senate, made vacant by the resignation of Henry S. Foote, who was elected Governor that year. He now sleeps in Elmwood Cemetery at Memphis.

Peter H. Burnett (1807-....) was a native of Davidson County, Tennessee, but his early manhood was spent in the County of Hardeman. He moved to Missouri, and thence to California, where he was elected the first Governor of the State. William McKendree Gwin (1805-1885) moved from Sumner County, Tennessee, to the State of Mississippi, where he was appointed United States Marshal by President Jackson; was elected to Congress; was appointed to superintend the erection of the custom-house at New Orleans by President Polk; went to California, was a member of her Constitutional

Convention, and when she was admitted to the Union, was one of her first Senators, which position he continued to hold up to the war.

Edward Cross (1798-1887) began the practice of law at old Monroe, then the county site of Overton County, and the home of that staunch old Democrat, Adam Huntsman. He moved to Arkansas, and succeeded Archibald Yell as a Representative in Congress from that State.

Edward Douglass White (....-1847), Judge, member of Congress and Governor of Louisiana, was a native Tennessean, and a graduate of the University of Nashville.

The distinguished soldier, Wm. Barksdale (1821-1863), a native of Rutherford County; Judge H. S. Bennett (1807-....), who was born in Williamson County; the great criminal lawyer, Reuben Davis (1813-1873); W. S. Featherstone (1821-....); Wm. M. Gwin, afterwards United States Senator from California; Benj. D. Nabers, and Daniel B. Wright, were all members of Congress from the State of Mississippi.

From Alabama there was Geo. S. Houston (1811-1879), a native of Williamson County, who was eighteen years a member of the Federal House of Representatives, and Chairman, successively, of the Ways and Means and Judiciary Committees of that body; Gen. Geo. W. Crabb (....-1847), a brother of Judge Henry Crabb, of the Supreme Court of Tennessee; Felix G. McConnell (....-1846); Sydenham Moore and Alexander White. But I will not pursue the list further.*

The old Federalist party having died, as I have said, in 1815, James Monroe was elected and re-elected President, prac-

*See "Parton's Jackson," "Roosevelt's Benton," "Bruce's Houston," "Foote's Bench and Bar of the South and Southwest," "Garrett's Public Men of Alabama," "Lanman's Dictionary of Congress," "Sparks' Memories of Fifty Years," "Elmwood Cemetery," "Hallum's Biographical and Pictorial History of Arkansas," "Picturesque Clarksville," and "Burnett's Recollections and Opinions of an Old Pioneer."

The Tennessee influence was never so pre-eminent in the Northwest as in the States I have mentioned, though she furnished many distinguished sons to the Northwestern States among whom were Governor John Reynolds, of Illinois, and Senators John Tipton and Edward A. Hannegan and Congressman Tilghman A. Howard and George L. Kinaird, of Indiana.

tically without opposition. In the meantime Jackson began to be spoken of for his successor. But he was not then at the head of any political party. All the candidates were professed Republicans or Democrats. Jackson received a plurality of the popular and electoral votes, but was not elected. The House of Representatives chose John Quincy Adams, and Henry Clay was appointed his Secretary of State.

At the very beginning of his administration, in his inaugural address, and in his first message to Congress, President Adams manifested his predilections for the old Federalist doctrines. Clay's fortune's were cast with his. Crawford was an invalid. Andrew Jackson, from that time, became the acknowledged leader of the Democratic party. Thenceforth the old Tennesseans, wherever found, with few exceptions, rallied to his support. There was never a division in Tennessee until 1836, when the Democratic party split on President Jackson's successor. Jackson favored Van Buren, and Hugh L. White, one of the grandest men, take him all in all, this State has ever produced, ran in opposition, and carried the State. The breach was permanent. The State was never again carried by the National Democracy until she developed, in Andrew Johnson, another great Democratic leader, second only to Andrew Jackson, who utterly routed the Whigs in 1855, and opened the way for the victory of Buchanan in 1856.

In 1829 Jackson was elected President by an overwhelming majority, and commenced the most important administration this country has ever witnessed, to only one event in which it is my purpose to allude.

I have already contrasted the loyalty of Tennessee with the disunion sentiments of the Eastern States in 1815. At the threshold of his administration President Jackson was confronted with similar conditions in the South. I refer to the doctrine of nullification, of which John C. Calhoun was the great exponent. Calhoun had not broken with the President at this time, and Robert Y. Hayne was one of his most intimate friends and partisan supporters.

But President Jackson was equal to the emergency. As early as April 13, 1830, at the Jefferson banquet, he electrified the country with this toast: "Our Federal Union: it Must be

Preserved." And this was the feeling of all his old Tennessee friends, who had expressed with him their horror of the disloyalty of the East in 1815.

I do not care to go into the question of nullification, as it arose in 1832. But we owe it to Jackson and the Tennessee influence that disunion sentiments, although springing up this time among a class of his own supporters, were again silenced, and the doctrine of nullification forever put to rest.

I believe I quote the venerable President of our State Historical Society correctly, in substance, in the statement that it was Andrew Jackson who made possible the preservation of the Union in 1861-65. And why may it not be so? Were not his most devoted followers the warmest friends of the Union? Where was Thomas H. Benton when the dark clouds began to appear above the political horizon? After an honorable service of thirty years he lost his seat in the United States Senate; and when elected to Congress from his own district he was defeated for a re-election, as he was likewise, in 1856, defeated for Governor of Missouri on account of his bold, outspoken Union sentiments. And he died still proclaiming the same devotion to the Union he was wont to applaud in Andrew Jackson.

Then, there was Sam Houston, the idol of the State of Texas, who, even at her behest, refused his assent to her separation from the Union. He had been elected Governor in 1859, and when his State seceded he was deposed from his office because he still adhered to the Union.

When the war came on but two Southern members kept their seats in the United States Senate. They were both Tennesseans. Wm. K. Sebastian (1812-1864) was born in Hickman County, Tennessee, and was educated at Columbia College. He went to Arkansas in 1835, and was elected District Attorney, Circuit Judge, Supreme Judge and in 1848 was appointed, and subsequently three times elected, to the United States Senate. He was expelled in 1861. But the act of expulsion was rescinded in 1878. The other was Andrew Johnson (1808-1876), of Tennessee, the disciple of Andrew Jackson, who, in February, 1861, said from his place in the Senate: "I believe that if Andrew Jackson were President of the United States

this glorious Union of ours would be still intact. Perhaps it might be jarred a little in some places, but not sufficiently to disturb the harmony and general concord of the whole. That is my opinion. I do not say it to disparage others, but I believe that this would have been the case if he had been President, pursuing the policy which I feel certain he would have pursued in such an emergency." He was more fortunate than Sebastian, in that his sincerity and honesty of purpose were never questioned. He not only served out his term, but was elected Vice President of the United States while his State was still out of the Union.

Tennessee herself went out of the Union in 1861, as she went into it in 1796, with great reluctance. Her leading public men, those who had grown up under the influence that surrounded Andrew Jackson, such men as Cave Johnson, John Bell and Andrew Ewing, earnestly opposed secession in 1860, and an overwhelming majority of her people voted for the Union when the question was first submitted to them in February, 1861, and it was only when war became flagrant, when blood had been shed, when armies were in the fields, when there was no other alternative left but to fight, either for their own section against the Union, or for the Union against their own section, that they chose the former course.

WILLIAM COCKE—BORN 1748, DIED 1828.

BY WILLIAM GOODRICH, PHILADELPHIA, PA.

The State of Tennessee at this time celebrates the one hundredth anniversary of its entrance into the Union as a sovereign State, and while with hearty co-operation the entire community is striving to do honor to their State, there are yet many who, in these busy times, have little opportunity to acquaint themselves with that part of the State's history coincident with one hundred years ago. Nor do they but vaguely connect the names of those prominent in 1796 with the greatness and prosperity of the State as it is in 1896.

Many names can be chosen for special mention from the list of hardy, brave and earnest pioneers, who, leaving behind them in the older settlements, kindred, friends and comfort, were willing to accept the privations incident to the establishment of new homes in the wilds of the Watauga and Holston.

Of those prominent in the early settlement of Tennessee and identified with every step of its advancement towards sovereignty, the name of William Cocke calls for special mention. Gen. William Cocke was a member of the Cocke family of Virginia, known there as the Malvern Cockes, from the fact that Malvern Hills (on which was fought the famous battle of that name during the late war) was owned by them for many years.

The first of the family mentioned in the records of Virginia was Richard Cocke, who came into the colony about 1632, presumably from Devonshire, England. He brought over three-score persons, thereby entitling him to a patent of 3,000 acres of land, which, on March 6, 1636, was granted to him by Sir John Harvey, Kt. Richard Cocke was prominent in the early history of Virginia, as later on have been many of his descendants. He was County Lieutenant for Henrico County, and represented it many years, from 1634 to 1654, in the House

of Burgesses. Gen. William Cocke's descent is from Richard, through his eldest son, Thomas Cocke, of Pickethorne Farm, whose second son, Stephen Cocke, inherited Malvern Hills, whose only son, Abraham Cocke, located in Amelia County, Va., where his son, William Cocke, the subject of this memorial, was born, in 1748.

Of William Cocke's early history there is little known, save that he received an English education, studied law, and moved to the western part of the State, where from what is now Washington County, he served as a member of the House of Delegates of Virginia, and was an officer in the State Militia.

His more than ordinary ability was recognized, even at the age of twenty-seven, when the Colonial Governor of Virginia (Lord Dunsmore) sent a special messenger to him requesting his presence at Williamsburg. Upon his arrival there, Lord Dunsmore told him that it was highly probable there would be a conflict between Great Britain and the Colonies, that he regarded him as a young man of high character and great promise and that if he would espouse the cause of the King against the Colonies he should have the highest command in the army save that of Commander-in-Chief. Mr. Cocke, in reply, told him that the King did not have money enough to buy him, that the cause of the Colonies was right and just, and that he would devote his life to their cause.

Somewhat previous to this time he had, in company with Daniel Boone, explored what is now Eastern Tennessee and Western Kentucky, being absent about a year. His wife (Sarah, nee Maclin,) had accompanied him to the settlements on the Watauga, but being without tidings from him for several months, and giving him up for dead, she returned to the Eastern part of Virginia, where his son, John Cocke (afterwards Major General, 1812), was born. Upon his return from Kentucky, he followed his wife to Virginia, bringing her and their child back to the Watauga settlement.

The above summary brings us to the year 1776, when, to quote from Ramsey's History of Tennessee, "the Cherokee Indians invaded the settlements bordering upon the Watauga and Holston Rivers. Against them was raised four small companies, principally Virginians, who marched to Heaton's Sta-

tion, where a fort had been built by the advice of Capt. William Cocke, and named after him, 'Cocke's Fort.' Through his advice, that the Indians would be more apt to pass by the fort and attack the settlement, it was determined to anticipate any movement of the hostiles, who, to the number of between three and four hundred, were approaching from a northerly direction, and an equal force under the Raven were hastening by a longer and more southerly route along the mountains.

"With knowledge of these movements, the small force of one hundred and seventy men marched out towards what is known as Long Island, where they encountered the Indians, under Dragging Canoe, and administered such a crushing defeat that they retreated.

"The memory of this warm reception doubtless made more easy the later expedition against the Cherokees by Col. Christian, which was accomplished without the loss of a man."

Shortly after these events, the country towards the South was opened up by the settlers from Virginia and Eastern North Carolina, who established themselves in what is now known as East Tennessee, but at that time was part of the State of North Carolina. Prominent among these settlers was Capt. William Cocke, who participated in the formation of the Counties of Sullivan and Washington.

The operations of Cornwallis and his subalterns were viewed with alarm by these "over the mountain men," who, recognizing their obligations to the parent State, from their resources, raised a body of men, and, under Cols. Sevier and Shelby, joined a force under Col. Clarke, of Georgia, and proceeded to attack Col. Patrick Moore at Thicketty Fort. Here Capt. Wm. Cocke was sent forward to demand the surrender of the fort, which was at first refused, but after reconsideration by Col. Moore, the fort was surrendered and the garrison paroled.

Smarting under the sting of this repulse, Cornwallis resolved to administer severe punishment upon these hardy mountaineers, and at the same time regain the lost prestige, delegating Col. Patrick Ferguson to accomplish his purposes, who, as a preliminary, sent word over the mountains "that if they did not lay down their opposition to the British arms, he

would march his army over, burn and lay waste their country and hang their leaders.

Upon receipt of this message, the mountain men rallied, and with an addition to their number of four hundred and eighty, joined the forces from Virginia and South Carolina, making their total force about eleven hundred.

Ferguson had advanced as far as Kings Mountain, where he was caught up with and surrounded, his force being also about eleven hundred. Here took place the severest conflict of that period of the war, resulted in complete victory over and entire capture of the British force and the death of Col. Ferguson.

The success of this expedition (in which Capt. Wm. Cocke took part), in time of greatest depression, was hailed with joy in all parts of the country, and was made the subject of special orders to the army of Gen. Washington in terms of highest praise for those who accomplished it. It gave renewed spirit to the armies in the East, and was the forerunner of the end in the surrender of Cornwallis at Yorktown.

After their success at Kings Mountain they returned to their homes and busied themselves in the development of their new settlement, which was rapidly becoming stronger by immigration from both Virginia and North Carolina.

It is interesting to follow the rapid growth of this section. County after county was formed and officers of court duly appointed. Militia organized and all steps taken to insure safety and permanency. During these times Gen. Wm. Cocke is constantly mentioned as filling offices of trust and importance, both civil and military. His appointment in 1786 as commissioner to negotiate treaties with the Cherokee Indians shows with what esteem he was held by his fellow citizens.

In the effort to withdraw from the jurisdiction of the State authority of North Carolina and establish a separate State of Franklin, Gen. Cocke's name is most prominent, and his speech before the House of Commons of North Carolina asking to be absolved from allegiance to that State or else receive the support due them, is most pathetic and brilliant, evidencing a mind of greatest ability.

In their efforts to establish themselves as a separate State.

the citizens of Franklin sent Gen. Cocke to Philadelphia with a memorial to Congress applying for admission to the Union. The time, however, was not at hand when they were to obtain their desired release, and not until 1796 did they succeed in severing the bond uniting them to the old State; then recognizing the untiring efforts and unceasing devotion in their behalf, the new State of Tennessee crowned with glory the patriotism of Gen. Cocke by sending him as Senator to Congress to represent them, and upon the expiration of his first term re-elected him to that distinguished office.

He had been a member of the first Legislature of Tennessee, representing Hawkins County, was one of the committee to draft the new Constitution and had, in 1793, represented Person County, North Carolina, in its General Assembly.

Tennessee additionally honored him in 1797, by laying off a new county and calling it Cocke County, after him.

Returning to his home after twice serving as Senator, he was, in 1809, appointed as Judge of the First Circuit.

Removing to Mississippi, he entered its State Legislature and was, in 1814, appointed by President Madison agent for the Chickasaw Nation.

When the war of 1812 was in progress he was not content to rest quietly; the old military spirit was strong within him, and though at that time above sixty-five years of age, he volunteered as a private and served bravely and usefully, receiving especial commendation from Gen. Jackson.

He died in Columbus, Miss., August 22, 1828, in the eighty-first year of his age, and is buried there, under a tombstone erected to his memory by the State of Mississippi, who have honored him by inscribing upon the stone this epitaph, reciting his many worthy deeds and attributes:

"Here lie the remains of William Cocke, who died in Columbus, Miss., on the 22d of August, 1828. The deceased passed an eventful and active life. Was Captain in command during the war of 1776. Was distinguished for his brave daring and intrepidity. Was one of the pioneers who first crossed the Alleghany Mountains with Daniel Boone into the wilderness of Kentucky. Took an active part in the formation of the Franklin Government, afterwards the State of Tennessee. Was

the delegate from that free limit to the Congress of the United States. Was a member of the convention which formed the first Constitution of Tennessee, and was one of the first Senators from that State to the Congress of the United States for a period of twelve years, and afterwards one of the Circuit Judges. He served in the Legislatures of Virginia, North Carolina, Tennessee and Mississippi, and at the age of sixty-five was a volunteer in the war of 1812, and again distinguished himself for his personal bravery and courage. He departed this life in the eighty-first year of his age, universally lamented."

Tennessee has cause to remember him gratefully for many efforts in its behalf, perhaps not the least one of which may be mentioned in the fact that in 1794, at the session of the House of Representatives south of the Ohio, he presented a bill for the establishment of a college in the vicinity of Knoxville, which bill was, on Sept. 10, 1794, made a law, and Blount College, now the University of Tennessee, was established.

In speaking of this act, Ramsey says: "Next to Mr. White, the friends of learning are indebted to one of the Representatives from Hawkins County, Mr. William Cocke, for his early care and provident foresight in laying broad and deep a foundation for the intellectual improvement of the young men of the Territory."

Though a reiteration, it is not the least remarkable circumstance of his life that he served in the Legislatures of four different States, viz., Virginia, North Carolina, Tennessee and Mississippi, as well as the Senate of the United States, and that he fought in the Indian war previous to 1776, and in the wars of the revolution and of 1812.

Few of us ever think of the trials of those early days of Tennessee's history. None of us know what supreme efforts were made by the heroes who from a wilderness succeeded in establishing a sovereignty, and defended it from all attacks, literally annihilating its enemies. The example of such men as William Cocke and his associates is worthy of emulation in these days, and the State of Tennessee does well to do them honor.

THE ADMISSION OF TENNESSEE INTO THE UNION.

BY PROFESSOR NATHANIEL CROSS.

[This paper was found among the archives of the Tennessee Historical Society, and is given below as read before the Society, April 2, 1850. Professor Cross did not have the opportunity to refer to authorities now easy of access. His paper will be interesting to students of Tennessee History.]

The following extract from Mr. Calhoun's speech on the slavery question, delivered in the United States Senate, March 4, 1850, contains an allusion to an incident in the history of Tennessee that is new, not only to the undersigned, but to others with whom he has conversed about it. In answer to the inquiry what shall be done with California, should she not be admitted, Mr. C. says: "Remand her back to the territorial condition, as was done in the case of Tennessee, in the early stage of the Government. Congress in her case had established a territorial government in the usual form, with a Governor, Judges and other officers, appointed by the United States. She was entitled, under the deed of cession, to be admitted into the Union as a State as soon as she had sixty thousand inhabitants. The territorial government, believing it had that number, took a census, by which it appeared it exceeded it. She then formed a Constitution and applied for admission. Congress refused to admit her, on the ground that the census should be taken by the United States, and that Congress had not determined whether the territory should be formed into one or two States, as it was authorized to do under the cession. She returned quietly to her territorial condition. An act was passed to take a census by the United States, containing the provision that the Territory should form one State. All afterwards was regularly conducted and the Territory admitted in due form as a State."

The presumption would seem to be that Mr. Calhoun should be correct in regard to the history of the admission of Tennessee into the Union; and yet the little investigation I

have been able to give to the subject, since his speech has been received here, would appear to lead to the contrary result, and to indicate that our State is not entitled to the credit he gives her "of returning quietly to her territorial condition," when remanded back by Congress, if she was thus remanded; and that this example, so far from sustaining the position taken by Mr. Calhoun in regard to California, is rather against it.

In Roulstone's Statutes of Tennessee, pages 51, 52 and 53, is an act, passed July 11, 1795, at the second session of the Territorial Legislature, providing for the taking of the census of the Territory, preparatory to application for admission into the Union. The schedule, according to which the Sheriffs of the counties are to make their returns, consists of six columns, to contain, heads of families, free white males of 16 years and upwards, free white males under 16 years, free white females, all other free persons, and slaves; and what is remarkable, as indicating in advance something of that independent spirit that had already prompted the creation of the short-lived State of Franklin, the Sheriffs and their deputies are directed to add an additional column to the schedule, containing the answers given by each free male person, 18 years of age and upwards, to the following question: Is it your wish, if upon taking the enumeration, there should prove to be less than 60,000 inhabitants, that this Territory shall be admitted as a State into the Federal Union with such less number, or not?"

"And it shall be the duty of the Sheriffs," the act goes on to say, "and of their deputies, to make due returns of the yeas and nays upon that question, to the Governor; and if the number be less than 60,000, and the question be determined in the affirmative, the Governor is requested to call the General Assembly into session as early as may be." If the population should prove to be 60,000, the act directs that the Governor shall order an election of five members from each county, to meet in convention at Knoxville, at such time as he shall judge proper, for the purpose of forming a Constitution. If the population had been less than 60,000, the Territorial Legislature was to have been convened, if the people desired it; but what measures the Legislature could have taken to have

brought about an admission into the Union; without the requisite number of inhabitants, it is not easy to conceive; but from what was actually done, and what was contemplated to be done, had the necessity occurred, as appears from the provisions of the act, it appears that there was presented, or would have been presented, a condition of things quite as anomalous as that of California. But a remarkable fact in the history of the admission of Tennessee remains to be noticed, and which proves, as before hinted, that Mr. Calhoun, unless there is some mistake in my authorities, has been very unfortunate in citing the case of Tennessee as a precedent for remanding California back to her territorial condition. And here it may be proper to state that I would not be understood as opposed to this remanding, or in favor of admitting this golden Territory into the Union; only if the alternative is between admission with disunion, and remanding with union, few, I presume, would hesitate to adopt the latter.

But to return to the subject. I went to the office of the Secretary of State last Saturday to see if I could verify Mr. Calhoun's statement; but found the books in the library, as is well known, in great confusion, and in saying this, I would not be understood as imputing anything like negligence to the excellent and very gentlemanly incumbent of that office; for it is next to an impossibility to keep the books in order in their present exposed locality. Though I found there the Journals of Congress for the first and second sessions, for 1792, and for other years, I did not succeed in finding those for 1795 and 1796. In Peters' Statutes at Large, however, extending from 1789 to March 3, 1845, in Vol. I., pages 491-2, is the act of Congress admitting Tennessee into the Union, and approved June 1, 1796, but there is nowhere in Peters' in the Acts of 1795 or 1796, any allusion to any remanding, or any previous application, or, what might certainly be expected there, the act which Mr. Calhoun says Congress passed for taking the census in the regular manner.

Again, the Sheriffs under the act of the Territorial Legislature, were required to make their returns to the Governor

by Nov. 30, 1795. The Governor, it must be presumed, then ordered elections to be held in the several counties, as required by the act; the members elected then met in convention at Knoxville, framed a Constitution, sent it on to Philadelphia, where Congress then met, with a petition to be admitted into the Union; this petition, according to Mr. Calhoun, is rejected; Tennessee remanded back to her territorial condition; an act passed by Congress to take the census anew, and the whole process of organization gone over again, it is to be presumed, as he assures us, "that all afterwards was regularly conducted, and the Territory admitted as a State in due form." And yet all these things connected with the birth of our glorious State, were done in Tennessee and undone in Philadelphia, and done over again in Tennessee and at last confirmed at Philadelphia, between Dec. 1, 1795, and June 1, 1796, and this before the introduction of telegraphs, railroads, steamboats or even stages.

But the most suspicious and mysterious and almost comical part in the history of Mr. Calhoun's precedent for remanding California back to her territorial condition is yet to be noticed. According to Peters' Statutes, the act for the admission of Tennessee was approved, as before stated, June 1, 1796; but according to Roulstone's Statutes of Tennessee, the first session of the First General Assembly of Tennessee was "begun and held at Knoxville on Monday, March 28, 1796," and adjourned April 20, 1796. That is, the first session of the State Legislature began more than three months, and closed more than two months, before Congress invested her with the attributes of sovereignty. While the Conscript Fathers on the other side of the mountains were telling her messenger, Mr. McMinn, and her Representative, Mr. White, that she must remain a while longer in her pupilage and mend her manners and then come back and knock again for admission more civilly, this young cismontane sister seems to have flouted their paternal counsel and without further ceremony to have taken her place in the sisterhood of republics, and gone to work in the exercise of sovereignty, in organizing her courts of justice, appointing her State officers, chartering seminaries

of learning and providing for the election of members of Congress, and Presidential Electors. It is true that at the next session of the Legislature, begun July 30, 1796, after the act of Congress admitted her into the Union had passed, new acts for the election of members of Congress and of Presidential electors were enacted and those of the previous session re-examine the matter, either of a new census of the Territory, or of a new election of members of a convention, or of a second meeting of the old convention, or any other act indicating a reorganization of the government; or that "all things were regularly conducted and the Territory admitted in due form as a State," as Mr. Calhoun says, after she was remanded back into her territorial condition.

An edition of Hume's History of England, with Lingard's variations, was published a few years since in Philadelphia; and such are the uncertainties of history, as is very well known by all that are conversant with either ancient or modern authors, that similar editions could be published of the history of almost every country or important event that has been treated of by more than one person. Among these uncertainties may be classed, it would seem, some of the particulars connected with the admission of Tennessee into the Union. Mr. Calhoun, it has been seen, has given a statement or version of the matter that appears to be new to most, if not all persons, in our community. Monette, in his History of the Valley of the Mississippi, says the census was taken by the Territorial Legislature, and application made to Congress for authority to frame and adopt a Constitution. The convention thus authorized, assembled at Knoxville on Jan. 11, 1796, and after a session of four weeks, adopted a Constitution, which, having been submitted to Congress, Tennessee was admitted into the Union June 1, 1796. Mr. Morris, in his Gazetteer, says it was admitted June 6; and then goes on to state that "writs of election were awarded immediately to elect Representatives to the General Assembly, and a Governor of the State. Elections were held pursuant to notice, and Gen. John Sevier was elected the first Governor of Tennessee. The first General Assembly

of the State of Tennessee, under the Constitution, convened at Knoxville on Monday, March 28, 1796;" but Mr. Morris has forgotten to tell us by what species of legerdemain these worthy fathers were elected after June 6, 1796, and yet held their first meeting March 28 in the same year. I have not been able to procure a copy of Haywood's History of Tennessee, and consequently do not know whether he agrees, and how far, with Mr. Calhoun, Mr. Monette or Mr. Morris, but his reputation is, I believe, much greater as a jurist than as an historian.

In review of the whole matter, it seems pretty evident that Tennessee assumed and exercised the attributes of sovereignty before they were duly conferred upon her; but that Congress, either not knowing this in those ante-telegraph and ante-rail-road days; or else dreading another State-of-Franklin affair or something worse, prudently opened the door and let her into the Union, though she did knock somewhat rudely.

If, however, the 3d section of the 4th article of the Constitution of the United States, is the only directory in regard to the admission of new States into the Union, no general law on the subject having been passed by Congress, it would seem that great latitude is allowed in regard to the formalities in the process of organizing a government in the transition from the condition of a Territory to that of a State. So far as the creation of a State out of a Territory is concerned, the constitutional provision is contained in one brief clause: "New States may be admitted by the Congress into the Union," the other part of the section being designed to protect the sovereignty of States already existing, and to give Congress the general power to dispose of and to make all needful rules and regulations respecting the territory of the United States. It would seem then, unless, as said above, some general law has been passed on the subject, that it is not necessary that the application for admission should be preceded by any congressional action. All that Congress has to do, when the application is made, is to satisfy themselves that the census has been fairly taken and that there is the requisite number of inhabitants, and that the Constitution has been ordained by their will and

is not inconsistent with the Constitution of the United States. Everything else, such as particular provisions of the Constitution, boundaries, etc., has to be determined by general considerations of justice and expediency, the power of Congress being absolute to admit or reject the application. Thus, Iowa was kept out of the Union some two years, because the inhabitants would not agree to circumscribe her boundaries as Congress directed.

In accordance with these views, it seems that the practice of government in the admission of new States has been by no means uniform, nor does it appear at all necessary that it should be so. According to a New York paper (New York "Observer" for March 9, 1850), Mr. Hamlin, advocating in the United States Senate the admission of California, affirmed that "of the seventeen States admitted into the Union since its formation, eight were formed after previous action by Congress, and nine without such action; and that the rule was therefore against those who contended that States could only be formed in accordance with previous congressional action." In regard to California, it may be remarked in closing this hasty essay, that perhaps the only thing in the history of her application that is without a precedent, is the election of members of Congress previous to her admission; but this may be excused on account of her great distance from the seat of government, and needs only an act of Congress to give it validity.

Since writing the above, I have consulted Haywood's History of Tennessee and find it stated there that Mr. McMinn, who carried the Constitution to Philadelphia, "was instructed to stay long enough to ascertain whether the members of Congress from this State would be received; and he instructed Mr. White, the Territorial Representative in Congress to have an act passed as soon as possible for the admission of this State into the Union, which act accordingly passed on June 6, 1796."

"Writs of election issued from the convention on Feb. 6, 1796, for the election of Senators and Representatives to represent their counties in the General Assembly, the session whereof was to commence on the last Monday of March; and also for the election of a Governor of the State of Tennessee. The

members of the Assembly were elected pursuant to the mode which the Constitution prescribed; and the people elected John Sevier Governor. At the appointed time the Assembly met at Knoxville, and the State of Tennessee there assumed the rank and exercised the authorities of a free and independent State." But the historian either did not notice the discrepancy of dates that he has recorded, viz., that the State was not admitted into the Union till June 6, but assumed the rank and exercised the authorities of a free and independent State from the last Monday of March, i. e., three months before her majority—or else aware of this irregularity, from prudential considerations, chose to pass it over in silence.

Intelligence was received this morning by telegraph that the Hon. John C. Calhoun died April 1, 1850.

BEGINNINGS OF LITERATURE IN THE SOUTHERN
OHIO VALLEY.

BY PROFESSOR S. A. LINK, NASHVILLE, TENN.

In a paper read at Michigan University in 1880, Charles Dudley Warner speaking of the western man, said: "He is the insatiable mover, with him it is always the first of May. He always builds his house to sell. When it is finished, that is the signal for him to move. His ancestors must bury themselves, his posterity are heirs of the future. He has time neither to inherit nor make his will. It is always in his plan to settle down, but never in the place where he is. He pays his debts by incurring new ones. He is the great laborer and hardship endurer of the nineteenth century, but he always expects to reach a spot to-morrow where he will have nothing to do." This may have been true of many of those called "western men" by Warner, it may have been true wherever vigilance committees took the place of law, but it does not apply to the men who settled Kentucky and Tennessee. They came to establish homes. They had examined the field and knew its hardships and dangers. They came not merely to hunt in the vast forests, but to convert those forests into farms. With the ax came the rifle, since these pioneers well knew the fierceness of the wily savage who must sooner or later be encountered. Not only were permanent homes established, but the problem of government engaged these settlers at the earliest possible moment. Kentucky, recognized from the start as a part of Virginia, found the matter of government less difficult than her southern neighbor. Early settlers of Tennessee supposed themselves in Virginia while really in North Carolina.

Both colonies were represented upon the Watauga, but neither offered her sons protection or a government. These were thrown upon their own resources as hardly any other people had been on the American Continent. It has been suggested that the evolution of government can be studied in Ten-

nessee as in no other instance. With little prospects of help from beyond the Alleghanies, with the mouth of the Mississippi held by hostile Spaniards, here was a fertile country to be subdued and peopled with no outside help—cut off in fact from the world beyond. In this unique situation our fathers did not hesitate. The government of the Tennessee portion of this western region was made on the spot to suit the exigencies of the case. There was no proper model at hand, since Virginia had not freed hers altogether from royal fetters and aristocratic privileges, and many of those same pioneers had left North Carolina to get rid of what seemed an ill arranged system, only a little more practical than the first wild scheme of impractical Locke. Thus Tennessee took independent lessons in statecraft early in her history. With almost matchless discernment and shrewd common sense, a system was formulated and put in operation—a system which took away the necessity for “Regulators” and Judge Lynches, found in so many new settlements. A written constitution—the first west of the Alleghanies—was adopted by the Watauga Association in 1772 three years after the first cabin had been built. Then the people were enabled to give themselves wholly to the work of building houses, clearing lands, fighting Indians, thus making rapid advances in extending and developing their settlements. To the civil system thus evolved, was added a military spirit and organization which was to make itself felt at King’s Mountain, New Orleans, and on a hundred fields besides.

A thousand years scarcely creates an empire, but what was done west of the Appalachians in a single century will ever remain a marvel to mankind. In 1851 Carlyle wrote to Emerson of a book of travels just one hundred years old. Bossu had traveled in Louisiana and “Oyo.” Carlyle thought the book as compared with the change of the country which it described, older than Balbec or Nineveh. It had for him on that account a curious fascination. The intellectual activity of the world has expressed itself along different lines at various times. At one period the mightiest intellects have grappled in war; at another brick and marble have taken shape under dreams of immortality; in the older and more settled stages of society literature has crystallized the highest aspirations of the mightiest minds.

Before the days of the printing press, the science of government was thought fit only for a favored few. The alchemist alone was thought to have right and power to wrest a few of nature's stern secrets from his ghostly pots and kettles. With the sudden expansion of intellect which came from the discovery of new continents, and from the rapid dissemination of human thought, was developed greater activity along material lines. Man had conquered the great spaces of the globe, why should he not conquer the storm upon the deep, and direct the lightnings of the clouds. The air was rife with marvels when the flood tide of time produced a Shakespeare, and a Newton. With larger knowledge, and wider outlook to human activity and human thought, came an unconquerable desire for larger freedom. Old ideas had suddenly become obsolete; the divine right of one man to oppress another had become a figment of the past. "A man's a man for a' that, and a' that" had not been sung by the ploughman poet, but it had begun to be felt by many an Englishman. That was a fortunate conjunction of events which opened a new world for settlement at the time when mankind was stirred upon the subject of human rights and larger possibilities. Naturally men's minds would be directed towards obtaining larger liberty under well guarded charters which, as the right of self-government was enlarged, would develop into constitutional forms. Men who wrote would write of government. Thus in the first half century of the American Republic, the greatest thinkers of any age poured forth many volumes pertaining to the new organization of society. There was no time for poetry; there was no time for romance. The world was living romance, stranger than the dreams of the Lotus Eaters, the ideals of Plato, or the Utopia of More. Stern men were confronted by conditions before which their ancestors would have quailed. In fact men became their own ancestors as never before in the world's history.

Heredity was obsolete. The man of the hour was the man of action. The colonies of the Atlantic Sea board brought over some of the environments of the Old World. Men were to be free, but not altogether free. Past social conditions still held sway in some of the southern colonies. Religious freedom was not intended to be absolute among Pilgrims and Puritans. All shackles, social, religious, and political were not

left behind until men crossed the Alleghanies. This region became at once the newest, the most original, and the most revolutionary of the New World. Every freeman was a king in his own right. Government was by agreement—the agreement of Sovereigns. This government was for the good of the people—not of the officials—and was to be administered without needless coercion, or expense. It was subject to change by consent, hence became the highest subject of all for discussion. Lack of large cities, and hence of printing presses, developed the orators of the west. Their history has never been written. In the freer days of Greece and Rome a few great orators existed. Constitutional government and the great trials of England, to some extent, fostered public speaking; the fiery throes of the French Revolution loosed men's tongues as unchained demons; in the discussion of colonial rights, patriotism found tongue as well as pen, from Massachusetts to South Carolina; but on the western slope of the Appalachians the orator alone—ready often with sword as with tongue—voiced the hour. The country schoolhouse became the meeting place of the debating club, and the cross roads and county seat, the battleground of the stump speakers. Great crowds gathered to these joint discussions. Federal and Republican differences hardly moved the waters of this western land, but the coming of two such men as Jackson and Clay, with the great questions of Bank, Tariff, and Internal Improvements, divided every community—some very nearly into equal numbers—for each Chieftain. For a quarter of a century these contests largely absorbed other interests. The preacher came almost with the first settlers.

The sweeping revivals of 1800 with the system of camp meetings which soon came into vogue brought together immense crowds which hung upon the lips of the preacher, thus by their fervid interest, arousing the speaker to higher flights of oratory. Great men arose under such inspiration, men whose eloquence will hardly ever be surpassed. The county court management of county business accustomed men to go to the county seat with much regularity.

The magistrates, often unlettered men, would discuss business in the people's own vernacular. By force of habit men were drawn to the courthouse to hear the great lawyers speak on important cases. A large part of the lawyer's best back-

woods humor was passed over the jury to the crowd beyond, since any lawyer might go into politics, and must learn to entertain his auditors as well as influence the jury. There were great orators at the bar in those days, many of their raciest anecdotes continue to do duty. It is not strange that those men did not write books. The man of destiny was the one who could exert immediate influence. The newspapers were small weeklies, and their movements were too slow. A few corners had verses—some good—by women chiefly. The editor had his opinion, and gave it from time to time, but news went by word of mouth. Mark Twain in *Gilded Age* represents the people as sitting around all the morning awaiting the coming of the mail, that they might get the news from the mail boy. But these papers all alike at first as one pea is like another, became differentiated. They became centers of thought, and of local literature. The county press published the statesman's pamphlets, as well as the amateur's songs. Some of the more ambitious towns started magazines. Specimens of these are yet to be found in out of the way places, mournful relics they are of buried hopes and ambitions. Sometimes they served their purpose in getting the editor called to greater prominence. Many good things were put forth in these embryo efforts. A collection of fugitive pieces by our own Fields seems destined to be immortal. First and last a great many books were written by outsiders concerning this country, some of them were books of travel, others of scientific value as giving descriptions of Indians, animals, and plants, together with the topography of the country, or as Judge Haywood says, *locography*. Some of these more or less influenced immigration. Filson's Kentucky was issued as early as 1784, and had very good maps of the country. Filson is the original biographer of Boone. Captain Gilbert Imlay published a work on the Western Territory of North America, in London in 1792. The second edition published 1793 had incorporated in it Filson's Daniel Boone. This is the work to which E. D. Hicks referred in a paper published in the AMERICAN HISTORICAL MAGAZINE for April. Description of Kentucky, and Thoughts on Immigration were two works published in London in 1792 by Henry Toulman, a young Englishman, who afterwards immigrated to Kentucky, and became President of Transylvania University and finally Secretary of

State. Isaac Weld Baily, who visited Knoxville, in 1797, Schults, Ashe, Bradbury, Timothy Flint, Cuming, and many others wrote books upon this western country which are said to hold the reader's attention with all the excitement of romance.

The first printing done on the Western Continent was by Spanish priests in Mexico. Stephen Daye brought from England the first press used by Englishmen, and set it up at Harvard in 1633. The first printing done in the limits of what is now the United States, was the *Freeman's Oath* in 1639. The first book was the Bay Psalm Book in 1640. The first newspaper west of the Alleghanies was the *Pittsburg Gazette*, founded by John Scull, a printer, July 29, 1786. The paper still survives. One year later, (1787), the second paper west of the Mountains was issued at Lexington, Ky. The third press was put into operation at Rogersville, East Tennessee, 1791. The fourth was at Cincinnati, O., 1793. One of the first books printed west of the Alleghanies was Judge Brackenbridge's *Modern Chivalry*, issued from the press of the *Pittsburg Gazette* in 1793. This was one of the first works of fiction produced in America, and was a semi-humorous, satirical novel.

The Lexington paper was called the *Kentucky Gazette*, and was edited by Wm. Bradford. The paper at Rogersville was called the *Knoxville Gazette*, since it was to be moved to that place in a short time, Gov. Blount having determined to fix the seat of government at Knoxville. The paper was founded and edited by George Roulstone, whom Ramsey calls a man of rather more than ordinary capacity. The Cincinnati paper was called *The Sentinal of the North West Territory*, was edited by William Maxwell. Of course none of these were dailies, but were of more importance in their day than some dailies are now.

In 1797, four years after the first issue of *The Sentinal* at Cincinnati, Henke of Kentucky printed at Nashville the first number of *The Tennessee Gazette and Mero District Advertiser*, which was sold the following year to Benjamin J. Bradford, and by him called *The Clarion*. Knoxville's second paper was *The Knoxville Register* founded by the same George Roulstone in 1798. When *The Register* had continued about two years, Roulstone and John Rivington Parrington published another paper called *The Genius of Liberty*. Thus Knoxville had three weeklies at an early date. A larger paper than any of these was

started in 1804 by George Wilson. This was known as *Wilson's Gazette*, and was continued until 1818 when Wilson removed to Nashville to publish *The Nashville Gazette* in the interest of Gen. Jackson. *The Knoxville Register* which lasted until 1863 was established in 1816 by F. S. Heiskill and Hu. Brown, the latter being something of a literary character. This was a Whig paper for many years.

The first daily ever published in Knoxville was *The Daily Morning Plebeian*, started as a weekly in 1850, and changed to a daily in 1851. *Brownlow's Tennessee Whig* was started at Elizabethton in 1839. At the end of a year it was moved to Jonesboro, afterwards to Knoxville, where in 1849 it became *Brownlow's Knoxville Whig* and attained fame beyond the limits of the State. The record seems not quite clear in regard to Nashville. Benjamin J. Bradford sold the *Clarion* to his cousin Thomas G. Bradford. The name of the *Clarion* was changed again, or else another paper had been started and was merged into the *Clarion*. At any rate, the paper was enlarged and called *The Clarion and Tennessee Gazette*. In 1821 the name *Clarion* was again resumed. *The Impartial Review and Cumberland Repository* was started by Thomas Eastin in 1805. *The Nashville Whig* was established in 1812 by Moses and Joseph Norvell. After various changes in 1826 it was consolidated with *The Nashville Banner* which had been first issued in 1822. The new paper was called *The National Banner and Nashville Whig*. It was first semi-weekly, then tri weekly. In 1831 the name having been changed to *National Banner and Nashville Advertiser*, the paper was issued as a daily—the first ever in Nashville. As before said, George Wilson started *The Nashville Gazette* in 1819. This was announced as a Republican (Democratic) newspaper, though Wilson claimed to be independent. Mr. Allen A. Hall and S. Nye issued a daily in 1837, under the name of *The Republican Banner*. This was, in a way, the successor of the old *Clarion*. The paper was subsequently edited by Felix K. Zollicoffer and other men of prominence. In 1835 that staunch advocate of Gen. Jackson, *The Nashville Union* was founded. This was afterwards edited by Col. J. George Harris. The first number of *The American* appeared in 1848, and was united with *The Union* in 1853. The third *Gazette* was established in 1844. Anson Nelson and Judge James T. Bell were subsequently con-

nected with *The Gazette* which continued until Nashville was occupied by Federals. The list is too long to continue. The first weekly paper was issued in Memphis in 1827, and was called *The Memphis Advocate and Western District Intelligencer*. The first number of *The Memphis Appeal* appeared April 21, 1841, edited by Henry Van Pelt. M. C. Gallaway founded *The Avalanche* in 1858. *The Hamilton Gazette* was published at Chattanooga, or Ross' Landing, in 1838, but did not become a daily until 1864. The first newspaper in Columbia was published, in 1811, by James Walker, who progressed well enough to marry Miss Jane M. Polk, sister of James K. Polk, in two years after starting his paper. Among those who have held the tripod at Columbia may be mentioned Hon. A. O. P. Nicholson, Hon. S. D. Frierson, Gen. Felix K. Zollicoffer, William Fields the compiler of the Scrap Book, Judge Stanley Matthews of the United States Supreme Court, John E. Hatcher, with many other noteworthy names. This is only a sample of other smaller towns, many of the most intellectual men of the State having tested their powers in the field of newspaperdom, before seeking eminence in other pursuits. Clarksville is said to have had *The Chronicle* as early as 1808 or 1809, but not to have kept this up continuously. *The Courier* first made its appearance in Murfreesboro June 16, 1814. *The Gazette* was established by Messrs. Ford and Womack at Lebanon in 1818. *The Banner of Peace* was first published at Lebanon in 1842, but afterwards removed to Nashville. As early as 1815 W. L. Barry seems to have conducted *The Tennessean* at Gallatin, though the history is not clear. *The Cumberland Presbyterian* was removed from Nashville to Springfield in 1839, conducted six months and suspended. Franklin possibly had a paper as early as 1820, though no record is left earlier than 1831. Some of these were edited by printers with little information, some were for the time being in charge of bright young men who were, as said, preparing for the law and afterwards became more or less eminent. Some were conducted by men of considerable literary taste and aspirations, who loved letters and would have won fame therein in older communities. Take a file of old papers and one is surprised at the high order of writing found here and there. Sketches, essays, and snatches of song—not all

poor—are found in addition to such news as could be had. Says Roulstone's paper, *The Knoxville Gazette*, for 1773, "A newspaper is like a feast. Some dish there is for every guest."

In the file of this same *Gazette* is found poetry translated from the Spanish, the French, poetry selected from standard English poets, as well as original verse, often with no mark to show that it is original.

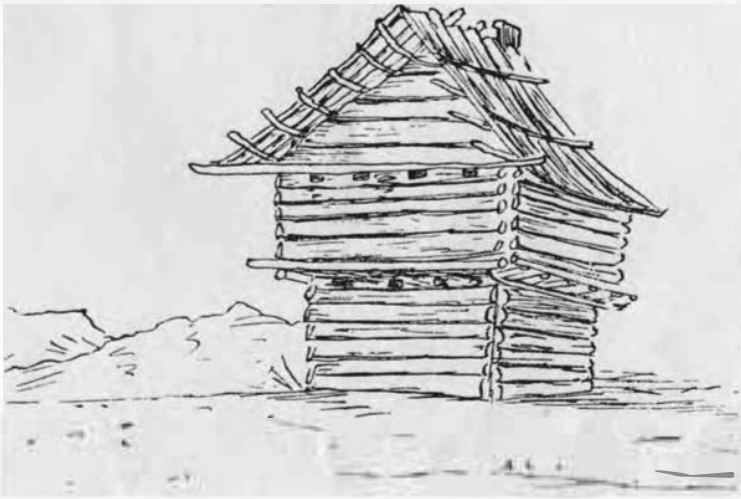
[*To be continued in next issue.*]

BLOCK HOUSES.

BY MR. RADFORD, NASHVILLE, TENN.

The early settlers of Tennessee were engaged in almost daily contests with the Indians. The Creeks and the Cherokees, although they had sold their lands to the white settlers, continued, for many years, their utmost efforts to drive them from the country.

They kept up a ceaseless and murderous warfare with the settlers on the Cumberland. No week passed without the treacherous killing and scalping of some settler by a skulking Indian, shooting from the concealment of the canebrake.



RIDLEY'S BLOCK HOUSE IN 1835.

The constant liability to such attacks drove the settlers to build rude log forts, to which, when in danger, they could flee with their families for refuge and defense. Such block houses were built in every neighborhood, and one of the

largest stood on the bluff in Nashville, near where the courthouse now stands. There was one erected by Mr. Ridley, which was still standing, although badly dilapidated, in 1835. As few persons have any accurate idea of how these rude fortifications of our ancestors looked, I give a copy of the one Mr. Ridley built, from a picture taken in 1835.

This fort of Mr. Ridley's, near Buchanan's Fort, on Mill Creek, was twenty feet square, and was built thus: Next the ground were six round logs, about twenty-one feet long, laid one upon another, and well morticed; next came a log twenty-four feet long, and a similar one on the other side, all well morticed. In this way a projection even with the floor that divided the upper chamber of the block house from the lower one, was formed beyond the ground tier of logs, upon which an upper wall of round logs was built, after which the building was roofed in. Upon the roof, pieces of wood were fixed for the garrison to step on and put out any fire the Indians might succeed in setting to it with their arrows. Loopholes were made in the logs of the upper room, to enable them to fire at any Indians who ventured to show themselves. There were other loopholes in the projecting part of the floor, from whence they could fire down upon their besiegers, if they should attempt to run up to the block house to set fire to it. These block houses were surrounded by strong picket fences, consisting of stout posts set firmly in the ground, the upper ends of the posts being sharpened, to prevent scaling.

Mr. Ridley was still living in 1835, was over ninety-five years of age, and he and his old wife were then living in a house near their old fort.

Mrs. Ridley thus describes an attack made by the Indians in 1792 upon the adjoining fort of her son-in-law, Mr. Buchanan (at Buchanan's Fort), on Mill Creek.

The Indians had been gathering for some time, and the white settlers had been told that the attack was first to be made on Buchanan's Fort, then on Ridley's Fort, and afterwards on the Cumberland Fort (now the Court House Square). Four hundred settlers assembled and waited at Buchanan's Fort for several days, but it was rumored that the Indians had given up their intentions. Almost the whole of them then went

to their homes, the insecurity of their families keeping them in constant uneasiness; so that only nineteen remained, who lived near. On Saturday evening a Frenchman and a half-blood Indian ran into the fort, and said that the Indians were coming and would soon be there. They were not believed, and the half-breed told them they might cut off his head if the savages did not reach the place in an hour. Two men went out to reconnoiter, but, walking along heedlessly, fell into an ambush, and were killed and scalped. As they did not return, it was supposed that the Frenchman and half-blood had lied, and that they had come among them to take white wives. They were now looked upon with suspicion. In this state of things all the men of the fort retired to rest, leaving Sallie Buchanan to sit up in the kitchen.

While she was listening in the dead of night to a noise in the distance, which she at first supposed indicated the approach of the messengers, suddenly she heard the horses and cows struggling and running about in the enclosure in great agitation (for, as Mrs. Ridley said: "Cows is mortal feared, as well as horses, of them perfect devils, the Indians), and knowing the signs, she aroused the men with the cry, "Indians, boys, Indians!" Instantly arming themselves, they flew to the gate, which 900 warriors of the Choctaws, Cherokees and Chickasaws were trying to force open. The gate was thoroughly well secured. The Indians fortunately making no diversion at any other point, the brave men inside had but this to defend. They answered the Indian yells by a shot at them when a chance occurred to kill.

In the meantime, it was found that those who had left took almost all the bullets with them. The heroic Sally Buchanan undertook the task of supplying them at the kitchen fire, and actually cast all the bullets that were fired, while a female relative, who was staying with her, assisted. As fast as they were ready, Sally would run out with them and cry aloud: "Here, boys, here's bullets for you, but mind you don't serve them out till you are sure of knocking some of those screaming devils over."

So much were the men encouraged by the indomitable spirit of Sally that they fought with the confidence of victory.

The Indians, after a fruitless attempt to force their way in, which lasted several hours, becoming apprehensive that the report of the rifles and uproar, which Mrs. Ridley heard very distinctly two miles off, would bring succor to the garrison, drew off before daylight, losing several of their number. And so this garrison, not only saved itself, but all the other forts, which the Indians intended capturing.

In 1781 the Indians made an attack on Nashville (then called Nashborough) at the stockade on the bluff. During the night of April 1, 1781, a numerous body of Cherokees came and lay in ambush near the fort. In the morning three of them approached the fort, fired and ran off, yet not out of sight. They were seen reloading their guns and occasionally waving their hands to attract notice. This was evidently a banter of defiance, and it was so regarded by the whites, who resolved to go out to battle. A party of some twenty or more mounted their horses and rode through the gate. They dashed down the hill towards Broad street and the branch (Wilson Spring Branch) in pursuit of the retreating foe. The few Indians, who had kept out of sight, made a stand near the bank of the creek. The position is near the corner of College and Demonbreun streets. The men dismounted at Broad to give battle. A considerable body of Indians was concealed in the bed of the creek and among the thick bushes, and suddenly fired on the men as they dismounted. The fire was returned with alacrity and with some effect. The horses fled up the hill towards the fort. At this moment another party of Indians, with a yell, dashed forth from their hiding places on the side of the hill near what is now Cherry street. They attempted to catch the retreating horses, which, going to the fort and finding the gate closed, ran down towards French Lick. Had the Indians maintained their position or extended their line to the river, not a white man could have got back to the fort.

The horses passed through the Indian line and drew after them many who preferred a horse to discipline or the commands of the chiefs. At this moment the dogs of the fort, seeing the confusion and hearing the firing, ran down the hill. These dogs were trained to hostility to the savages, and they made a most furious onset and kept the Indians busily

employed in self-defense. The pursuit of the horses and contest with the dogs so occupied the Indians that a way was opened for the escape or retreat to the fort. The Indians greatly outnumbered the whites. Five of the whites were killed and two disabled by wounds. They resolved to escape to the fort. Taking with them their two wounded companions they ran, and were pursued by their enemies. There was no time to reload their guns. To have stopped would have been to encounter an overwhelming force. So they reached the fort. One of the women said: "Thank God that he gave the Indians a fear of dogs and a love for horses." In the retreat, Isaac Lucas was hot down whilst running and reloading his gun as he ran. He did not lose his presence of mind, primed his gun, took aim, and shot dead in his tracks the foremost Indian. The people in the fort saw Lucas fall and that he was alive, but in danger of being killed and scalped. He lay within the range of the guns of the fort. After he had killed his nearest foe and crawled to a more secure place, he was prompt to reload his rifle and look to the position of his hatchet and butcher knife. After the repulse and retreat of the Indians, Lucas was rescued from his perilous position. He was brought into the fort, and recovered after a few weeks' confinement. There was one contest almost under the walls of the fort. Edward Swanson was one of the retreating party. He was pursued and overtaken by a big Indian within twenty yards of the fort. The Indian gained upon Swanson and struck him with his gun on the shoulder, causing Swanson to drop his gun. Swanson turned upon his pursuer and grabbed the Indian's gun. Then commenced a life and death struggle for its possession. The blow had disabled Swanson; the superior strength of the Indian wrested the gun from him and knocked him down on all fours. The men at the fort could not fire at the Indian, lest they should shoot their friend. At this critical moment John Buchanan rushed out of the gate to Swanson's relief. He killed the big Indian on the spot, took his gun and kept it as long as he lived.

This ended the day's fight on the part of the whites. The Indians, however, continued their efforts to secure the frightened horses, but with little success. The animals were so

much scared by the yelling Indians, the firing of guns and the barking of dogs that but few were caught. Several days later, most of them came to the entrance of the fort and were gladly admitted.

The Indians stripped and scalped such whites as they had slain and slightly covered up their own dead. They gained five good guns. At night other Indians arrived before the station and fired repeatedly at it, but did no harm. Quite a number of them were seen a few hundred yards from the fort. There was one swivel in the fort, but no cannon balls. It was proposed to fire this swivel at the Indians. To this, objection was made by some persons, saying: "There are too many trees in the way, and we have not the powder to waste." The gun was loaded, several of the men contributing powder, pieces of lead, pieces of horse shoes and other bits of iron. The cannon was placed in position and fired. It made a big noise, but whether it did the Indians any mischief or not was never known. When the smoke cleared away, so that a view could be obtained, the Indians were gone.

THE OLD STONE FORT NEAR MANCHESTER, TENN.

*[The editor received from Miss Susie Blakeley an interesting and valuable communication upon this subject, written by Mr. Robert Wilson Green. It was referred to Gen. G. P. Thruston with the request that he would prepare a paper for publication upon the Old Stone Fort.]

The ancient fort situated in the forks of Duck River, in Coffee County, is one of the largest and most elaborate prehistoric fortifications to be found in Tennessee. It has long been an object of special interest to persons making a study of the remains of the ancient races of America.

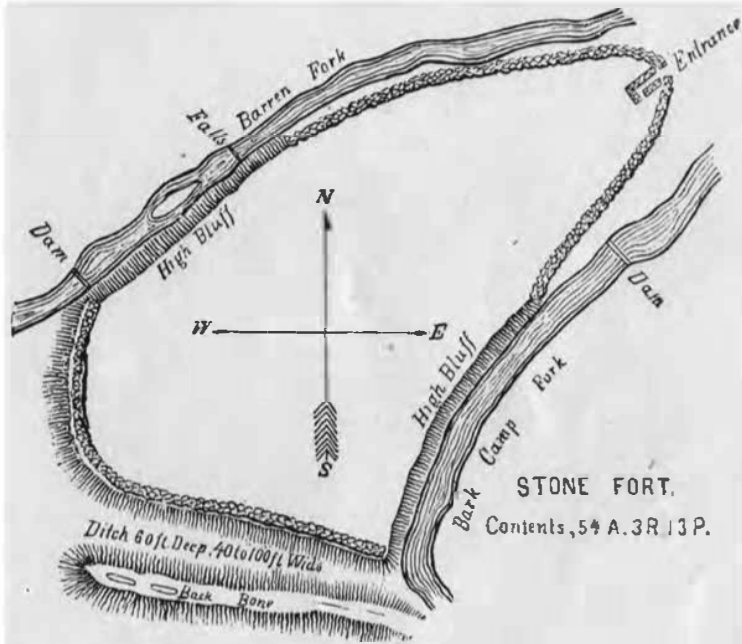


FIGURE I. PLAN OF STONE FORT.
(From Thruston's Antiquities of Tennessee. Page 41.)

The fort differs from other prehistoric works in Tennessee. It was probably not merely a stockade or palisade defensive work, enclosing a village settlement, gardens and burial grounds. It was doubtless used as a fort, into which the people

of that immediate section could assemble, and protect themselves in times of war or danger, as there seem to be no evidences of a permanent settlement within the lines of the fortification.

There is a large ancient mound 20 to 25 feet high, about one mile north of the fort, and there are other evidences of a populous aboriginal settlement in that neighborhood. A plan of the fort is shown in Figure I.

There has been a great deal of speculation as to the age, and origin of this work, but archaeologists are now quite certain that it was erected by the ancient people, popularly known as the Mound Builders, who were doubtless village Indians of a somewhat more advanced type than the modern Indians of the early Western frontier.

The fortification does not differ in its general construction from some of the prehistoric works found in the Ohio Valley. The most remarkable feature of the fort is its entrance at the northeast end. On both sides of the opening the general defensive line was strengthened by mounds or supports of stone about three feet higher than the main walls.

Towers or lookout stockades were doubtless located upon these mounds. Strong parallel walls extended inwardly from the entrance, with but one opening at the interior end, as shown in Figure II.



FIGURE II.
PLAN OF ENTRANCE.
(From Thruston's
Antiquities of Tennessee, Page 42.)

This interior walled way was probably surmounted with towers at both ends. The largest of these tower-foundation mounds was, up to a recent date, not less than sixteen feet high. The front openings from the entrance walls were also narrow and so constructed that not more than two persons could enter the fort abreast, at one time. An attacking party, forcing its way through the main entrance, would have been caught between these narrow walls, and destroyed before it could enter the fort. The entrance, as is well shown by the plan, and remains, was a remarkable piece of military engineering, worthy of a more civilized race.

Messrs. Squire and Davis, in their valuable publication, "The Mounds of the Mississippi Valley," illustrate a number of ancient earthworks in Ohio, with entrances showing similar defensive works and engineering skill. They were doubtless erected by the same aboriginal race.

The walls of the old fort, now from four to ten feet high, are formed of rock and earth. They do not show evidences of masonry or careful rock construction, the rocks and earth being simply heaped up, doubtless as a support to the general stockade line. Along the steep bluffs, as shown in the plan, there was no earth or rock wall, the high precipitous natural elevation forming an ample defense against attack there. At the base of the bluffs on the south a deep ditch must have formerly connected the two branches of the river, forming an additional defense. The ancient walls have evidently been partly washed away and lowered by the action of time. Some portions have almost disappeared.

The fort is a very ancient structure. The modern Indians seem to have had no knowledge or tradition regarding it.

Haywood tells us that in 1823 it was covered with large forest trees. In 1819 Col. Andrew Erwin, who owned the land upon which the fort was located, cut down a white oak tree, which grew upon the top of the fort wall. He counted 357 "annulars," or annual circles upon the cut of the trunk, indicating its great age.

According to this estimate, the tree was seventy-eight years old when DeSoto landed in Florida, and thirty years old when Columbus discovered America. How much older the fort may have been we cannot tell. This disproves the theory that the fort was erected by DeSoto's men. What a story these interesting remains could tell, if their history could be revealed!

The mound building and stone grave building Indians doubtless inhabited the fertile valleys of Tennessee through a number of centuries.

Their remains are found throughout almost the entire Mississippi Valley. They extend to Central Georgia and South Carolina in the Southeast. The impression prevails among archaeologists, that not long before the advent of Columbus

and DeSoto, the ruder Northern tribes overrun the territory occupied by more peaceful and industrious village Indians of the Ohio Valley and the South, and destroyed their towns and humble homes.

Perhaps the ancestors of the warlike Iroquois Indians, the Goths and Vandals of their time, were the authors of these disasters. For nearly two hundred years before Middle Tennessee and Kentucky were occupied by the pioneer white settlers, this beautiful section seems to have been the hunting ground of the Northern and Southern tribes, and was not permanently occupied by its Indian claimants.

G. P. THRUSTON.

GOVERNOR LEVIN WINDER, OF MARYLAND, AND THE
FAMILY OF HIS ELDEST SON, EDWARD
STOUGHTON WINDER.

[Written from records in the family Bibles of Mrs. E. T. Winder, and from papers in the possession of his granddaughter, Mrs. Elizabeth Tayloe Pennington, nee Winder, Baltimore, Md., 1896.]

[Levin Winder, Governor of Maryland in 1812, was descended from ancestors who were among the first settlers of Maryland. He was born September 14, 1757, in Somerset County, and at the age of eighteen entered the Revolutionary Army. He was promoted successively through the grades of Lieutenant, Captain, Major, and Lieutenant Colonel in the Colonial Army. At the time of his death he was Senior Major General of the Maryland militia. At different times he served with distinction in the Legislature of the State. In 1780 he married Mary Stoughton Sloss. In 1812 he was elected Speaker of the House, and in the same year was elected Governor, occupying the latter position until 1815.

He was a devoted Mason, and was twice elected Grand Master of Masons in his native State.]

He died in the city of Baltimore, July 1, 1819, universally respected and beloved.]

At the death of Gov. Levin Winder, who died in Baltimore, July 1, 1819, aged sixty-three years, his estate, on Monie Creek, two miles from Princess Ann, in Somerset County, Md., was left to his widow during her life. Her name was Mary Stoughton Winder, nee Sloss. She lived a few years longer. At her death the estate was sold by the trustees, and divided between Levin Winder's three children. The eldest son was Edward Stoughton Winder, their second son William Sydney Winder and their daughter Marianna Stoughton Winder. Edward Stoughton Winder was married on June 1, 1820, at "Wye House," to Elizabeth Tayloe Lloyd, eldest daughter of Hon. Col. Edward Lloyd, fifth of that name of "Wye House," Talbot County, Md. Col. Lloyd bought the farm of "Knightly," adjoining his own estate, and built a brick house there for his daughter, Elizabeth Tayloe Winder, nee Lloyd. At his mother's death, Edward Stoughton Winder moved his family to "Knightly," from "Monie," his sister Marianna remaining with him until her marriage, on Feb. 22, 1831, at "Knightly," to Thomas Emory, Esq., of Queen Ann County, Md.

William Sydney Winder moved to Baltimore. He died Feb. 9, 1844. His wife, Araminta, died Feb. 13, 1845, leaving four daughters.

Edward Stoughton Winder was born in Maryland Sept. 21, 1798. Was appointed from Maryland Captain Second Dragoons, June 8, 1836, and served through the Indian war in Florida, and died at "Knightly," from the effects of the campaign, March 1, 1840, aged forty-one years. Is buried at the Lloyd burying ground, at "Wye House."

Elizabeth Tayloe Winder, nee Lloyd, his wife, was born at "Wye House," Sept. 23, 1800, and died in Baltimore, March 29, 1881, and is also buried at the Lloyd burying ground, at "Wye House," Talbot County, Md.

Edward Stoughton Winder and his wife, Elizabeth Tayloe Winder, nee Lloyd, had born to them eight children. Edward Lloyd Winder, their eldest son, born Feb. 18, 1821; died May 19, in the sixty-fourth year of his age. He graduated at the Naval Academy, in Philadelphia, and served through the Mexican war; resigned at the breaking out of the civil war, joined the Confederacy and served until the end of the war. He married Helen Thorban, Oct 19, 1848, in Norfolk. They had no children.

Levin Winder, their second son, born Nov. 13, 1822. Died at Louisville, Ky., March 21, 1843, in the twenty-first year of his age. He was a young man of high promise, and much beloved by his family and friends.

James Murray Winder, born Feb. 15, 1825. Died Sept. 7, 1847, aged twenty-two years, seven months. An obituary notice of his death reads: Lieut. Winder, of the Voltigeurs, serving in Ferno's Battery, who was wounded at the National Bridge, was buried yesterday, with the honors of war. He was shot on the bridge, almost at the first fire, an escopet ball passing through his body, carrying away his left lung. He was a gallant and gentlemanly officer, whose loss will be severely felt.

Sallie Murray Winder, born Oct. 7, 1826. Died Jan. 10, 1891. She married at "Knightly," Oct. 3, 1850, Robert C. Buchanan, son of Andrew Buchanan, of Baltimore. The notice of her funeral reads: The funeral of Mrs. S. M. Buchanan, widow of the late Gen. R. C. Buchanan, U. S. A., will take place from St. John's P. E. Church, corner Sixteenth and H streets, Washington, D. C., Tuesday morning, Jan. 13, at 11:30 a. m. They are both buried in one grave at Rock Creek Cemetery, Washington, D. C. They had no children.

Charles Sydney Winder, born Oct. 18, 1820. Was killed in battle on Aug. 9, 1862. Graduated at West Point.

From Army Register: Born in Maryland. Appointed from Maryland. Brevet Second Lieutenant Fourth Artillery, July 1, 1850. Second Lieutenant Third Artillery, July 21, 1851. First Lieutenant, April 5, 1854. Captain Ninth Infantry, March, 1855.

Notice from the papers read: First Lieut. Charles S. Winder, of Maryland, First Lieutenant April 5, 1854, Third Artillery. Soldierly conduct on the wreck of the steamer San Francisco. Now on frontier service. First commissioned, 1850.

Lieut. Charles S. Winder, of Maryland, has, we learn, been appointed a Captain in the Ninth Regiment instead of a First Lieutenant. He graduated at West Point, and distinguished himself for his gallant conduct on board the ill-fated steamer San Francisco.

Resigned April 1, 1861. At the breaking out of the civil war he joined the Confederate army. The Richmond Enquirer of the day says: Brig. Gen. Charles S. Winder, who was killed in the battle of Southwest Mountain on Saturday, was promoted from a colonelcy a few months ago for distinguished conduct, and was one among the most meritorious young officers, we learn, in the Confederate army. The battle of Southwestern Mountain, Va., Gen. Stonewall Jackson's official report:

Richmond, Aug. 12.—The following official dispatch was received here to-day:

Headquarters, Valley District, Aug. 11, 6:15 a. m.—The

battle was on Aug. 9, near Cedar Run, about six miles from Culpeper Courthouse. We have to mourn the loss of some of our best officers and men. Brig. Gen. Charles S. Winder was mortally wounded whilst ably discharging his duty at the head of his command, which was the advance of the left wing of the army.

After peace was declared, the remains of Charles S. Winder were brought home and interred at the Lloyd family burying-ground, at "Wye House."

Capt. Chas. S. Winder, U. S. A., married Alice Lloyd, second daughter of Col. Edward Lloyd, sixth of that name of "Wye House," Talbot County, Md., on the evening of Aug. 7, 1855, at "Wye House," the ceremony being performed by the Rev. Dr. Joseph Spencer.

Their three children are: The eldest son, Charles Sydney Winder, born at Fort Vancouver, Oregon, W. T., Aug. 18, 1856. Second son, Edward Lloyd Winder, born at "Wye House" June 4, 1858. Married Mary Parker, Oct. 15, 1884. Their children are Alice Lloyd Winder, born July 8, 1886. Mary Parker Winder, born Nov. 19, 1889.

Elizabeth Lloyd Winder, born Aug. 4, 1860, at "Wye House." Died Nov. 8, 1862, at "Presquile."

Elizabeth Tayloe Winder, born Aug. 1, 1831, at "Knightly." She was married to Charles Josiah Pennington, of Baltimore, Md., April 14, 1853, at "Knightly." They had three children born to them. The supplement to the obituary record of graduates of Yale College, 1870-80, says: Charles Josiah Pennington, eldest son of Josiah and Sophia C. "Clapham" Pennington, was born in Baltimore, Md., Oct. 29, 1826, and died in the same city March 27, 1877, aged fifty years. He married April 14, 1853, Elizabeth T. Winder, of Talbot County, Maryland, who with his children, two sons and a daughter, survives him.

Their eldest son is a well-known architect of Baltimore, Josiah Pennington, born Jan. 24, 1854, in Baltimore. He mar-

ried Nov. 21, 1883, Margaret Riggs Pleasants, at St. Paul Church, Baltimore. Their son is Hall Pleasants Pennington, born May 24, 1888.

Elizabeth Lloyd Pennington, born Nov. 22, 1855, in Baltimore.

Edward Winder Pennington, born Aug. 31, 1857, at "Knightly." Died Nov. 4, 1891. The notice of his death in the Sun reads: Edward Winder Pennington, in the thirty-fifth year of his age, suddenly on Nov. 4, at the residence of his mother.

The funeral of Mr. Edward W. Pennington took place from his late home. The interment was made at Greenmount Cemetery. Mr. Pennington was one of the best-known civil engineers in Baltimore. He was one of the first to arrive at Johnstown after the flood, and was presented with a handsome gold watch for his valuable services rendered in getting trains through.

Mary Winder, born Oct. 8, 1833. Died March, 1882. Is buried at the Lloyd burying ground, at "Wye House."

William Sydney Winder, fifth son, born Oct. 1, 1835. Married Oct. 4, 1882, in Baltimore County, Alice Stump. Their children are Elizabeth B. Winder, born Sept. 11, 1883. Ella S. Winder, born Aug. 5, 1885.

NOTES.

(Special Dispatch to the Baltimore Sun, 1894.)

Princess Ann, April 6.—The tomb of Wm. Stoughton, who was buried at "Almodington," the Elzey estate, on the Monokia River, in Somerset County, was removed on Saturday to the cemetery of All Saints' Church, "Monie." The following inscription appears on the old marble slab marking the grave: Here lyeth the body of Wm. Stoughton, Esq., born in the year 1692, and departed this life the 12th day of March, 1759, aged sixty-three years. Col. Stoughton married a daughter of John Elzey, of Manokin, who settled in Somerset in 1663, and was the great-grandfather of the wife of Gov. Winder, of Maryland. Col. Stoughton presented to Somerset Parish an elegant silver communion service, which is now used in St.

Andrew's Church, Princess Ann, and All Saint's Church, "Monie," and is the admiration of all who have ever seen it.

This account in the paper had Gov. Wm. Winder, of Maryland. We cannot be wrong in saying it should be Gov. Levin Winder, who married Mary Stoughton Sloss, on May 13, 1790, and who was Governor of Maryland in 1812, and who was the only Gov. Winder, of Maryland.

A book plate with the name and coat-of-arms of Wm. Stoughton, Esq., and a seal with the coat-of-arms, besides the name in the family, are the only records in my possession, and a copy of the coat-of-arms on a silver urn, which belonged to Gov. Levin Winder and his wife, and which, family tradition says, was Sloss, and was brought from England.

PEDIGREE OF THE POLLOK OR POLK FAMILY FROM
FULBERT, THE SAXON, (A. D. 1075) TO THE
PRESENT TIME.

BY MISS MARY WINDER GARRETT, WILLIAMSBURG, VA.

[*Continued from April number*]

William Polk, the second son of Robert Bruce Polk, or Pollok, and Magdaline, his wife, inherited "White Hall," the home place in Somerset County, Maryland, and remained in Maryland. His descendants are mostly in that State, but a few in Delaware. William Polk married Nancy Knox (but when she married him she was the Widow Owens). She was the sister of Joanna Knox, the first wife of his brother John, thus making the descendants of these two brothers doubly related, through Polks and sisters Knox. William Polk had two sons, David Polk and James Polk. David Polk, the elder son, inherited "White Hall" from his father. He was Colonial Judge for the County of Somerset, Maryland. The commission of Judge David Polk, one of his Lordship's Justices of the Peace, was dated June 8, 1763. The last term of court he acted as Judge was June term, 1766. Commission on page 223. Judgments of court, Somerset County, commencing March court, 1760, and ending June 1, 1763.

He married Betsey Gillis, and had five children, (1) William, (2) Esina, (3) a daughter who married Hamden Haney, (4) Gillis, (5) a daughter who married Judge Davie.

William Polk, the oldest son of Judge David Polk, was Judge of the Court of Appeals of Maryland; he was born 1752, died 1814. He was married three times and has left numerous descendants. First, he married Esther, the daughter of Judge Wm. Winder. She was, when she married him, the widow of Isaac Handy. His second wife was the Widow Dennis, nee Purnell. His third wife was Mary Hubble. By his first marriage, with Esther Handy, he had five children: (1) Elizabeth, (2) Esther, (3) Gertrude, (4) William, (5) Josiah Polk. Eliza-

beth, the eldest child, married Judge Tromentine, first United States Senator from Louisiana. No descendants from this marriage. Esther, the second daughter of Judge William Polk and Esther, his wife, married three times: First, Maj. King, one son, Henry King; second time she married Charles H. Winder, no children; third, Alexander Stuart, son of Alexander Stuart, surgeon in the revolution; no children. Gertrude, third child of Judge William Polk and Esther, his wife, married, in 1779, her cousin, Gen. William Henry Winder. He was a member of the Maryland Legislature. In the war of 1812, he was Colonel, Brigadier General and Adjutant General. Schaf, in the "Chronicle," of Baltimore, speaks of Gen. William Henry Winder as "one of Baltimore's brilliant lights," and one of the most eminent lawyers in the city. Schaf states that at the time of his death Gen. Winder had the largest practice of any man at the bar in Baltimore, and one of the largest in the United States Supreme Court. Gen. William Henry Winder and Gertrude, his wife, had ten children. Of these, five died in infancy. Those who gained maturity were John Henry Winder, born Feb. 21, 1800. William Henry Winder, born 1807. Charles Henry Winder, born 1809. Gertrude Winder, Aurelia Winder. William Henry Winder and Gertrude Winder never married. John Henry Winder, son of Gen. William Henry Winder and Gertrude, his wife, was born in Somerset County in 1800. Graduated at West Point; entered the artillery; resigned in 1861; entered the Confederate States army as Brigadier General. Died at Florence, S. C., Feb. 6, 1865. He was twice married. First wife, Elizabeth Shepherd; second wife, Caroline Cox. By his first marriage, with Elizabeth Shepherd, he had one son, William A. Winder, Dr. of Marine, in charge of Marine Hospital, San Diego, Cal.; Captain in the United States army. Appointed, 1894, United States Special Agent for settlement of Indians at Covelo, Round Valley Agency, North California. He married Abby R. Goodwin and has one son, William Winder, Lieutenant in the United States Navy. By the second marriage of Gen. John Henry Winder and Caroline Cox he had two children, John C. Winder and William Sidney Winder. William Sidney is unmarried and resides in Baltimore. John C. Winder, the older

brother, married Octavia Bryan. He was Major in Confederate service. Was Vice President of Seaboard Air Line Railway (miles). He has five children: Mary, Caroline, John H., Gertrude, Octavia. Mary Winder married Washington Bryan; issue, Octavia Winder, Annie Washington and Mary Winder, James West and John Winder Bryan. Caroline Winder married Dr. F. W. Hughes; issue, Octavia Winder Hughes, Annie Smallwood, Isaac Hayne, Mary Winder, John Winder and James Betner Hughes. John H. Winder (son of John C.) is General Manager of Seaboard Air Line. He married Florence Tucker; two children, John C. Winder and William S. Winder. Gertrude A. Winder (daughter of John A. Winder) married W. R. Tucker; issue, Marie, Octavia and Gertrude A. Tucker and Rufus. Octavia Winder, fifth child of John A. Winder, married Ludlow S. Kinner.

Charles H. Winder (son of Gen. William Henry Winder) married Mary Sterrett; had two children, Josephine and Mary Winder. Mary died 1864, aged seventeen years. Josephine married Stewart Darrell, of Bermuda, but they reside in Baltimore; children, Cavendish Darrell, Marie Josephine Darrell.

Aurelia Winder, daughter of Gen. William Henry Winder, married Mr. James Townsend. She was born, 1820. Died at Oyster Bay, Long Island, N. Y., in 1885. She left no children. She was the author of a volume of poems.

William Winder Polk, oldest son, and fourth child of Judge William Polk, by his first marriage, with Esther Handy, was born Aug. 9, 1787; died, Feb. 13, 1856. He married Almy Townsend, daughter of William Townsend, of Long Island, N. Y. From this marriage seven children; first, William Winder (who died unmarried), Mary Townsend, Margaret Hoffman, Gertrude Winder (died in infancy), Francis James (died in infancy), James Black (died unmarried), Louisa Dorsey. Miss Margaret Hoffman Polk resides in Baltimore. Mary Townsend Polk, second child and oldest daughter of William Winder Polk and Almy, his wife, married twice; first, Victor Monroe, of Kentucky, and second, Judge Alfred Iverson, of Georgia. Victor Monroe was a cousin of President James Monroe, and son of Thomas Bell Monroe, who was born in Albemarle County, Virginia. At an early age he married Eliza Palmer

Adair, daughter of Gen. John Adair, then Governor of Kentucky. He was appointed by President Jackson, Judge of the United States District Court for District of Kentucky, and held the office until the election of President Lincoln, when he resigned and came South, and represented the State of Kentucky in the Confederate Congress. Died after the war at Pass Christian, Miss. Victor Monroe, his son, who married Mary Townsend Polk, was appointed Judge of the United States Court, for the Territory of Washington, upon the organization of that Territory, during the presidency of Pierce. He went across the plains with the first Territorial Governor, Stephens. His family did not accompany him. He died out there a few years later, about 1858, leaving three children, William Winder Monroe, Frank Adair Monroe and Mary Eliza Monroe. William Winder Monroe, the eldest son of Victor Monroe (and Mary Townsend Polk), commanded Morgan's advance guard in the raid through Ohio; was captured and kept in Camp Douglas eighteen months; exchanged and recaptured with President Davis and party, and sent to Fort McHenry, where he was kept in solitary confinement for several months after the war. He married Lavinia Berry, and is now a railroad man, at present residing at Danville, Ky., and has two children, Catherine Berry Monroe and Anna Prudell Monroe. Frank Adair Monroe, brother of William Winder Monroe and second son of Victor Monroe and Mary Townsend Polk, was in the freshman class at the Kentucky Military Institute, when the war broke out, went into the army, joined Company E, Fourth Kentucky Regiment, "Breckinridge Brigade." In 1861 was discharged as under age. In March, 1862, joined First Louisiana Cavalry; was wounded and captured in March, 1863, near Somerset, Ky.; was exchanged December, 1863. When the war closed, he settled in Louisiana and studied law. Was recommended by members of the bar for judgeship and was elected by the Democratic party Judge of the Third District Court, parish of New Orleans. In 1879, Louisiana had a new Constitution, and the several civic and probate courts in the city and parish were constituted one court, having five judges, to be appointed by the Governor. He went in with the first Nicholls administration. Judge

Monroe has been reappointed many times and since 1888 has been presiding Judge; and since 1889 a member of the law faculty of Tulane University, of Louisiana; professor of commercial law and the law of corporations; and is President of ried Alice Blanc and they have nine children, viz.: Adele, the Association of the Army of Tennessee, Louisiana Division; Camp No. 2, United Confederate Veterans. Judge Monroe married Marion, Winder Polk, Alice, Frank Adair, Jules Blanc, Kate Adair, Gertrude, William Blanc Monroe.

Mary Eliza Monroe, only daughter and third child of Victor Monroe and Mary Townsend Polk, his wife, married George A. Vincent and resides in New Orleans. They have two children, Winder Monroe Vincent and William Germaine Vincent.

Louisa Dorsey Polk, daughter of William Winder Polk and Almy Townsend, his wife, married J. Banister Hall, of Baltimore, Md., and had five children, viz.: William Winder Polk Hall, died an infant; Anne Galbraith Hall, J. Banister Hall, Louisa Polk Hall and Marguerite Almy Hall. Anne Galbraith Hall, second child of J. Banister Hall and Louisa Dorsey Polk, his wife, married Francis King Carey, of Baltimore, Md., and has three children, viz., Louisa Carey, Francis James Carey and Margaret Townsend Carey.

Josiah Polk, fifth child of Judge William Polk, by his first marriage, with Mrs. Isaac Handy, nee Esther Winder, married Rebecca Troup, of Baltimore County; two children, Henry Troup, Mary C. Troup.

Judge William Polk, son of Judge David Polk, son of William, son of Robert Bruce Polk and Magdaline, his wife, married the second time the widow of Henry Dennis, nee Ann Purnell (granddaughter of Gen. William Arbuckle); to them were born an only child, a son, and this son was Col. James Polk, who died 1868. He was register of wills for Somerset County, Maryland. Inherited the family estate, "White Hall," was a naval officer under the administration of James Knox Polk, for the port of Baltimore, in the year 1845. He married Ann Maria Stuart, daughter of Alexander Stuart, surgeon of the Continental troops in the war of the Revolution. To James and his wife were born fourteen children, seven of whom died in infancy, the remaining seven were William L. Polk, James

Polk, Lucius C. Polk, Josiah B. Polk, Esther Winder Polk, Mary Ann Polk, Ariana F. S. Polk. William L. Polk, son of Col. James Polk and Ann Maria Stuart, his wife, married Miss Estis, of Kentucky, and has three children, Wm. Polk, Estis Polk and James Polk. The second son of Col. James Polk and his wife (Ann Maria Stuart) was James Polk, who married Nannie Maddox and has five children, viz.: Anna Polk, Katie Polk, James Polk, Mary Polk and Willie Polk. Lucius Polk, the third son of Col. James Polk and Ann Maria Stuart, his wife, married Mary Clark, and has one child, Clark Polk. Josiah B. Polk, fourth son of Col. James Polk and Ann Maria Stuart, his wife, married Julia Parker. Esther Winder Polk, eldest daughter of Col. James Polk and Ann Maria Stuart, his wife, married Gov. E. Louis Lowe, of Maryland, and has seven children, viz.: Adelaide Lowe, who married Austin Jenkins; Anna Maria Lowe, Paul E. Lowe, Vivian V. Lowe, Mary Gorter Lowe, married Frank Jenkins; Esther W. Lowe, Victoire V. Lowe.

Mary Ann Polk, second daughter of Col. James Polk and Ann Maria Stuart, his wife, married Gope Omer Gorter, of Amsterdam, Holland; six children, viz.: Omer Gope Gorter, who married Alice Edmonson; Albert Lucius Gorter, married Mary E. Thompson; James Polk Gorter, Nathan Ryno Gorter, Meta E. Gorter, Maria A. Gorter. Ariana F. S. Polk, youngest child of Col. James Polk (and his wife, Ann M. Stuart), married L. Briscoe; one child, Martha W. Briscoe.

Judge William, son of Judge David Polk, married the third time, Mary Hubble, and had one child by this marriage, Ann Fromentine Polk. This only child was twice married; first to Robert Walker, of Georgia. They had two children, William and Ephraim. William married, but died shortly afterwards, leaving no children, and Ephraim died quite a young child. Ann Fromentine Polk married second, Gov. Herschel V. Johnson, of Georgia; issue, nine children. The two oldest died in infancy; those who gained maturity were Emmet Johnson, Winder Polk Johnson, Tallulale Johnson. Anne Johnson, Gertrude Johnson, Herschel V. Johnson and Tomlinson Johnson. Emmet Johnson married Geraldine Griffin; died, leaving no children. Winder Polk Johnson married Leonora Johnson;

lived at the old Johnson homestead, in Jefferson County; died a few years ago, leaving five children: Emmet Johnson, Annie Johnson, Leonora Johnson, Herschel Johnson, Rosa Johnson.

Tallulale Johnson, daughter of Gov. Herschel V. Johnson (and Ann, his wife,), married Capt. Pearce Horne, February, 1862; twelve children. Three died in infancy. The nine who gained maturity were Michael Horne, Gertrude Horne, Arabella Horne, Annie Horne, Tallulale Horne, Pearce Horne, Caroline Horne, William Horne, John Beckwith Horne. Michael Beckwith Horne married Mary Marsh; has five children: Addie Horne, Annie Ruth Horne, Michael Horne, Marsh Johnson Horne and an infant. Gertrude Horne, second child of Capt. Pearce Horne (and Tallulale Johnson, his wife,), married Frank Baker; has one child, Frank Baker. Arabella Horne, third child of Capt. Pearce Horne, married William White Johnson; two children, Herschel V. Johnson and Jane Carver Johnson. Tallulale Horne, daughter of Capt. Pearce Horne and Tallulale Johnson, his wife, married Henry Augustus Russell; no children.

Annie Johnson, daughter of Gov. Herschel V. Johnson and Ann, his wife, married Charles Hardwick, of Savannah, Ga.; no children. Gertrude Johnson, daughter of Gov. Herschel V. Johnson and Ann, his wife, married Col. John Stubbs, of Dublin, Ga.; they have no children. Herschel V. Johnson, son of Gov. Herschel V. Johnson, married Caroline Roberts. Both dead. No descendants. Tomlinson Johnson, son of Gov. Herschel V. Johnson and Ann, his wife, married Emma Arkwright; four children, Emma Johnson, Cora Johnson, Tomlinson Johnson, Annie Johnson.

James Polk, brother of Judge David and son of William, son of Robert Bruce Polk and Magdaline, his wife, married Mary Cottman; five children: Virginia Polk, Benjamin Polk, a daughter who married Mr. Whittington, Nancy Polk, William Polk. Virginia never married. Benjamin married; had eleven children, viz.: Benjamin Polk, Justina Polk, Ellenora Polk; Jane Polk, who married her cousin, William Polk; Mary Collins Polk, Sarah Polk, Betsey Polk, Isaac Polk, David Polk, Whittington Polk, James Polk. Whittington Polk, son of James, married his cousin, E. G. Polk, of Pocomoke City;

seven children: Whittington Polk, Sarah Polk, Carrie H. Polk, Ann D. Polk, Emerson W. Polk, Rebecca Polk, William Stevens Collins Polk. Whittington, the eldest son, married and had three children, Upshur, Marion and Jane. Sarah Polk, sister of Whittington Polk and daughter of Whittington Polk, married William Whittington; two children, girls. Rebecca, sixth child of Whittington Polk, married Thomas Whittington. William Stevens Collins Polk, youngest son of Whittington Polk, married and had four children, viz.: Joshua Polk, Florence Polk, William Lee Polk, Eva Polk.

William Polk, brother of Benjamin and son of James Polk (and Mary Cottman, his wife,) married and had seven children, viz.: William (who died young), James Polk, Josiah Polk, Betsey, who married Mr. Harcum, of Westmoreland County, Va.; Nancy, who also married Mr. Harcum, of Westmoreland County, Va.; John Polk, who married Jane, his cousin, and had four children, Harriet Polk, Clarissa Polk, Margaret Polk, who married Mr. Stuart; William T. Polk, who married Mary Ann Harcum, and Louisa Harcum, her sister, had a daughter, Mary, who married Mr. Braughton.

Samuel Polk, seventh son of William Polk, son of James Polk and Mary Cottman, his wife, married Miss Gillis, and had seven children, viz.: Ellen G. Polk, married John Woolford; Joseph Gillis Polk; Lyttleton Polk; Caroline Polk, second wife of John Woolford; Eliza Ann Polk, married Dr. James Dashiel; Mary W. Polk, married John Belle; William T. G. Polk married, first, Miss Elizabeth Woolford, second wife, Mary Henry, of Princess Anne County, Maryland.; ten children, viz.: John W. Polk, Lemuel Polk, Sarah A. Polk, Elizabeth W. Polk, Addie H. Polk, Caroline W. Polk, Samuel Polk and William T. G. Polk.

[To be continued in next issue, beginning with the Ephraim Polk branch.]

THE FAMILY OF GEN. JAMES ROBERTSON.

BY LAVINIA R. (HILL) BROWN.

[Continued from April number.]

(Fourth Generation.)

(No. 75.)

Fannie H. Robertson, daughter of James Randolph and Susan (Oldham) Robertson, married Leroy Napier, Aug. 27, 1837. (12 children.) See extended, Napier line.

(No. 77.)

Eliza H. Robertson, daughter of James Randolph and Susan (Oldham) Robertson, married Gen. E. Sterling C. Robertson, July 29, 1846, in Robertson County, Texas. She died March 25, 1852, at Austin, Tex.; they had three children, two died in infancy, a son and daughter.

260. Sterling C. Robertson, born April 20, 1849.

(No. 78.)

Medora Robertson, daughter of James Randolph and Susan (Oldham) Robertson; married Mr. Van Iron, 1843; two children.

261. Son; names unknown.

262. Son; names unknown.

(No. 79.)

Hays H., married and died in San Antonio; no issue.

(No. 81.)

James B. Robertson, son of James Randolph and Susan (Oldham) Robertson, was in Fourth Texas, Hood's Brigade, and was killed at "Gaines' Mill," Va.

(No. 83.)

Jimmy Jackson left widow and several children in Texas.

(No. 84.)

Medora Charlotte Cheatham, daughter of Col. Leonard and Elizabeth (Robertson) Cheatham, married Samuel Riggs (wholesale merchant of Philadelphia), Sept. 21, 1835; he died July 5, 1847; no issue. Second marriage was to James S.

Thayer, of New York, May, 1851, who died Jan. 19, 1881; two children.

263. Medora; no dates given.

264. Ada; no dates given.

(No. 85.)

Benjamin F. Cheatham, son of Col. Leonard and Elizabeth (Robertson) Cheatham, married Anna Bell Robertson, March 15, 1866; she died in 1888; five children.

265. Benjamin Franklin, born May 20, 1867.

266. Patton Robertson, born Dec. 9, 1869.

267. Joseph Johnston, born Feb. 11, 1872.

268. Medora, born May 20, 1878.

269. Alice, born Nov. 23, 1880.

(No. 85.)

Benjamin Franklin Cheatham raised a company for Mexican war; was Captain one year; then, recruited a regiment at Nashville and became its Colonel, serving with it to the end. He went to California, but on the breaking out of the war, tendered his services to the Confederacy and was commissioned Brigadier General, and later was promoted to Major General, serving with distinction; 1885 was appointed post-master of Nashville, Tenn.

(No. 86.)

Sarah Pope Cheatham, daughter of Col. Leonard and Elizabeth (Robertson) Cheatham, married Dr. John L. Chapman, Dec. 10, 1844. No issue.

(No. 87.)

Felix R. Cheatham, son of Col. Leonard and Elizabeth Cheatham, was a prominent citizen of Nashville, Tenn., a successful real estate agent, and greatly beloved by his relatives and friends; he married Ophelia C. McGavock Feb. 17, 1857; she died April 21, 1865; three children.

270. Felix Robertson, born 1858, died Oct. 28, 1883.

271. Frank James, born Dec. 20, 1860, died February, 1896.

272. Carrie, died in infancy.

(No. 88.)

John A., son of Col. Leonard and Elizabeth (Robertson) Cheatham, married Mrs. Lottie Cheatham, Jan. 17, 1882.

(No. 89.)

Martha Eliza Cheatham, daughter of Col. Leonard and Elizabeth (Robertson) Cheatham, married Dr. George S. Blackie, Jan. 28, 1858. He died June 9, 1881; four children.

273. Elizabeth, born Jan. 15, 1859, died Oct. 24, 1891.

274. Berrien Lindsley, born Sept. 19, 1860, died December, 1893.

275. Marion Greve, born Nov. 24, 1867.

276. George Frederick, born Dec. 22, 1869.

(No. 89.)

Dr. George S. Blackie was a native of Scotland, educated in the University of Edinburgh, where his brother, John Stewart Blackie, was for many years professor of Greek. In 1857 Dr. Blackie came to America, where he became professor of botany in the University of Nashville. He was a man of great all round ability, which he lavished on enterprises for public good. He was distinguished for his high literary attainments, and filled many important places as an educator in Nashville, Tenn., where he died June 19, 1881.

(No. 90.)

Maria Louise Cheatham, daughter of Col. Leonard and Elizabeth (Robertson) Cheatham, married Dr. John Chapman, June 17, 1847; four children.

277. Leonora.

278. Frank.

279. Maria Louise.

280. Ophelia; dead.

(No. 92.)

Ada Byron Cheatham, daughter of Col. Leonard and Elizabeth (Robertson) Cheatham, was born in Nashville, Tenn.; finished her education in New York City, where she afterwards resided, and received the advantages of extended travel in Europe.

(No. 93.)

Alice B. Cheatham, daughter of Col. Leonard and Elizabeth Cheatham, married James Webb Smith, who died Sept. 6, 1869; three children.

- 281. James Thayer.
- 282. James Webb; dead.
- 283. Leonard Pope, born Feb. 23, 1870.

(No. 95.)

Mary Eliza, daughter of Benjamin Franklin and Martha (Goodloe) Robertson, married Dr. John Martin Taylor, in Union County, Kentucky, 1843. Dr. J. M. Taylor was from the old distinguished presidential family of Taylors, which produced two Presidents of the United States. President Madison, through his grandmother, Frances Taylor, and Zachary Taylor; ten children.

- 284. Frank, born 1847.
- 285. Henry R., born 1849.
- 286. Samuel M., born 1851.
- 287. Jonathan G., born 1853.
- 288. John Martin, born 1855.
- 289. Robert, born 1857.
- 290. Eliza Mildred, born 1859.
- 291. Benjamin H., born 1863.
- 292. Goodloe Rives, born 1868.
- 293. Daughter; died an infant.

(No. 97.)

William H. Howard Robertson, son of Henry Villars and Rebecca (Oldham) Robertson, married Mary Emma (adopted daughter of Capt. Felix Robertson, of Independence, Tex.); second marriage to Miss Annie Martin; seven children.

- 294. Henry V.; no dates.
- 295. Thomas H.; no dates.
- 296. Mary; no dates.
- 297. Courtney; no dates.

(Second Marriage.)

- 298. James; no dates.
- 299. Frank; no dates.
- 300. Julia; no dates.

(No. 98.)

Dr. D. Hardeman Robertson, son of Henry Villars and Rebecca (Oldham) Robertson, was a physician and partner of

Dr. Jerome B. Robertson. He was in the C. S. A.; lived in Independence, Tex.; unmarried.

(No. 99.)

Henry Oldham Robertson, son of Henry Villars and Rebecca (Oldham) Robertson, married Sept. 11, 1866, to Sallie Edney, born in Tennessee, 1846; five children.

301. James E.; died in infancy.

302. Fernando E., born Nov. 6, 1868.

303. Leonora A., born Feb. 26, 1871.

304. Adele, born Dec. 1, 1876.

305. Sallie B., born Sept. 24, 1879.

(No. 100.)

Benjamin Franklin Robertson, son of Henry Villars and Rebecca (Oldham) Robertson, married Agnes Cooper; one child.

306. Irene; no data.

(No. 101.)

Louise Frances Robertson, daughter of Henry Villars and Rebecca (Oldham) Robertson, married George S. Seward, of Lott, Tex., July 3, 1860; two children.

307. Henry B.; no dates given.

308. Bettie; no dates given.

(No. 102.)

Bettie Robertson, daughter of Henry Villars and Rebecca (Oldham) Robertson, married Thomas E. Clay, Nov. 28, 1866. He was Captain of Terry's Rangers, from Kentucky; seven children.

309. Tacitus.

310. Sue.

311. James R.

312. Seth Shepard.

313. Edward F.

314. David Jones.

315. Nettie Louise.

(No. 103.)

James Randolph, son of Henry V. and Rebecca (Oldham) Robertson, married Annie Thornbill, of New Orleans, and lives at Brenham, Tex.; eight children.

- 316. William T.
- 317. Rebecca.
- 318. Pauline.
- 319. Emma.
- 320. D. H.
- 321. Attrius.
- 322. George C.
- 323. Clay.

(No. 104.)

Susan F. Robertson, daughter of Henry V. and Rebecca (Oldham) Robertson, married Attrius M. Clay, brother of Thomas Clay. No issue.

(No. 112.)

Georgetta Witt, daughter of Charlotte and Georgetta Witt, married William Wilkerson; no dates given; six children.

- 324. Jack; no dates given.
- 325. Marietta; no dates given.
- 326. Eugenia; no dates given.
- 327. William; no dates given.
- 328. Fannie; no dates given.
- 329. Inez; no dates given.

(No. 113.)

Benjamin F. Drake, son of William and Mary Drake, married Julina Green, Jan. 22, 1850; nine children.

- 330. Albert J.; no information given.
- 331. Susanna; no information given.
- 332. Robert; died.
- 333. Clinton; never married.
- 334. Boyd; no dates.
- 335. Millie; no dates.
- 336. Elvis; never married.
- 337. Blanch; never married.

(Note) Tennessee omitted by mistake.

(No. 114.)

John B. Drake, son of Mary and William Drake, married Chloe B. Reed, Jan. 16, 1851; seven children.

- 338. William H.; no information given.

- 339. Clara; no information given.
- 340. Sarah Ann; no information given.
- 341. Mary; no information given.
- 342. Maud M.; no information given.
- 343. Joseph H.; no information given.
- 344. John; no information given.

(No. 117.)

Susanna Drake, daughter of William and Mary Drake, married Timothy Walton, Oct. 2, 1849; five children.

- 345. William J.; died young.
- 346. Lizzie; no dates given.
- 347. Ella S.; no dates given.
- 348. Earnest T.; no dates given.
- 349. Eugenia; no dates given.

(No. 118.)

James R. Drake, son of William and Mary Drake, married Nancy Wilkerson, Sept. 12, 1849; four children.

- 350. Fannie M.
- 351. Laura.
- 352. William.
- 353. Robert.

(No. 119.)

Elizabeth D., daughter of William and Mary Drake, married Allen Ledbetter. No issue.

(No. 120.)

Harriet Drake, daughter of William and Mary Drake, married Allen Ledbetter (her brother-in-law), Dec. 4, 1854; two children.

- 354. Sudie D.
- 355. Mary E.; not married.

(No. 121.)

Eliza Ann McAllister, daughter of John and Eliza McAllister, married Solomon D. Rainey Aug. 21, 1834; five children.

- 356. Robert; no other information.
- 357. Mary E.; no other information.
- 358. James; no other information.

359. William; no other information.

360. Dora; no other information.

(No. 122.)

John Neblett, son of Benjamin and Eliza (Bosley) Neblett, married Martha West; three children.

361. Benjamin; no dates given.

362. Drew; no dates given.

363. Althia; no dates given.

(No. 123.)

Charlotte Neblett, daughter of Benjamin and Eliza (Bosley) Neblett, married John Jones; four children.

364. Hugh; dead.

365. John; not married.

366. Mollie.

367. Sterling; not married.

(No. 124.)

Marietta Neblett, daughter of Benjamin and Eliza (Bosley) Neblett, married John McNairy Newell, Jan. 26, 1854; six children.

368. Robert McNairy; no dates.

369. John B.; no dates.

370. Willie Bell; no dates.

371. Felix Rainey; no dates.

372. Rotie; no dates.

373. James R.; died in infancy.

(No. 130.)

Lavinia, daughter of Henry and Maria (Bosley) Neblett, married Dr. Christopher Brodie; five children.

374. Amanda; married; dead.

375. Henry; dead—C. S. A.

376. Laura; no dates.

377. William; no dates.

378. Charles; dead.

(No. 131.)

Robert, son of Henry and Maria (Bosley) Neblett, married Josephine Ament; five children.

379. Samuel; no dates given.

- 380. Alice; no dates given.
- 381. Lavinia; no dates given.
- 382. Julia; no dates given.
- 383. Georgiana; no dates given.

(No. 132.)

William Neblett, son of Henry and Maria (Bosley) Neblett, married Miss Ware; two children.

- 384. John; no dates.
- 385. William; no dates.

(No. 134.)

John McNairy, son of McNairy and Lavinia Beck Newell, married Marietta Neblett. (See No. 124.)

(No. 140.)

Mary Eliza, daughter of Jeremiah and Delilah (Bosley) Scales, married her cousin, Horace Scales; four children.

- 386. Mary E.; no dates given.
- 387. Joe; no dates given.
- 388. Martha; no dates given.
- 389. Ann; no dates given.

(No. 141.)

Joseph Henry, son of Jeremiah and Delilah (Bosley) Scales, married Jennie Potts. (No other information.)

(No. 142.)

Martha, daughter of Jeremiah and Delilah (Bosley) Scales, married Sam Hopkins; three children.

- 390. Willie; dead.
- 391. Charlie.
- 392. Joe.

(No. 134.)

Ann Delilah, daughter of Jeremiah and Delilah (Bosley) Scales, married Mr. Connor; two children.

- 393. Mary; no dates given.
- 394. Sam; no dates given.

(To be continued in next issue.)

THE CORRESPONDENCE OF GEN. JAMES ROBERTSON.

[Gov. Blount to Gen. Robertson.]

MR. COBB's January 2d 1792

Dear Sir,

General Smith having a few days past wrote you respecting the Ratification of the Cherokee Treaty and enclosed you a copy I shall say nothing on that Head except to ask of you to do what I am sure you will gladly do if in your power that is to have it preserved inviolate and if this can not be done I beg you to make examples of the first violators of it. It will be the Duty of the Attorney of the District Mr. Jackson to prosecute on Information in all such cases and I have no doubt but that he will readily do it.—I am glad to learn the good Treatment you gave the Creek Chief and I have heard of some Cherokees being seen at the Crossing of Cumberland with a Letter to you from the Little Turkey begging you to supply them with Powder and Lead— These things are trifling and had certainly better be given if asked than refused but they are too much for an Individual to give.— You will please keep an exact amount of what you have or shall give taking care to give nothing unnecessarily and I have no doubt but I shall be able to procure you Payment. Where you purchase any Thing to give take care to have an amount stated in a good fair Hand between yourself and the Person from whom you purchase & a Receipt for the Payment.—No amount will be allowed by the United States without good Vouchers.— This unfortunate affair with General St. Clair has in my opinion made attention to the Indian more indispensably necessary than heretofore.

Previous to the Meeting of Congress I forwarded your account of former supplies to the Indians to your Friend Doctor Williamson to be presented for auditing and Payment to the proper officers as you requested but I have not heard what is yet done with it.—

Your small Certificate for £13.0.0 proved to be Counterfeit and is returned to me.

General Moore's Twelve Thousand acre Tract of Land is purchased of his Heirs for me so you may have the Survey completed as soon as you please. You will please recollect all Surveys and Grants too must be completed by the 22d day of December next or the warrants will be lost and as no alteration of the Indian Lines is like to take place for many years to come they may as well be done before that Time as at a more distant one. I wish all my warrants laid within the Time and I am sure Doctor Williamson has the same with respect to his I mean the large one in his own Name but I suppose Nothing will be done in the surveying Business untill after the Superior Court in February and by the Return of Judge McNairy. I will again write you on that head if any Thing else should occur to me and when he comes in I should be glad to know your Sentiments on that Subject.—The Suit of Armstrong against Ben. Smith is not yet determined but Smith intended to petition again the General Assembly which began in Session on the first Monday in the last month for leave to withdraw them and Davie who is his Lawyer and a Member speaking on the Subject with me seemed to be of opinion that they would be withdrawn. Probably I shall be able to give you further advice on this Head by the Return of Judge McNairy.—Mrs. Blount and two of my sons are here (my daughters are at Tarboro with their aunt) and here we shall stay until the first of March and then move down to Knoxville. The reason we do not move sooner my Houses there are not done. I write Sampson Williams by this Conveyance respecting some men which he will be authorized to raise to be stationed at the present crossing of Cumberland for six Month to commence on the 15th March and I intend to order more to be raised and stationed according to the Plan I recommended to the President and if any are raised your son Jonathan will be appointed an Ensign. One of my Brothers, Willie is also out with me. John Wray Blount desired me to present his most respectful Compliments to you and I am dear Sir, with great Respect and Esteem,

Your obedient Servant,
WM. BLOUNT.

General Robertson

Mero District.

. P. S. In the Return of the Census of Davidson County one Company is reported to have been wanting which I don't know: I beg you to inquire, obtain it and forward it to me by Judge McNairy or some early opportunity.- The Names of the Captains who did make Returns are Shannon, Nash, Marshall, Maxwell, Parker, Walker, Murray and Smith.

[Gov. Blount to Gen. Robertson. Efforts to secure peace, and preparations for war.]

KNOXVILLE, January 5th 1792

Sir,

Watts has sent me a peace talk and a string of white beads. I believe he is in earnest and I have sent him an invitation to meet me on the 9th of February at So. West Point to agree on the terms of peace- A number of Chiefs are now with me and I shall propose a general meeting and propose a more distant day- A large and general meeting of the Creeks has just been held by Mr. Seagroves with the Creeks on St. Mary's from which much is expected by the Federal Government as great presents have been given Congress have not determined yet whether war or not with the Cherokees. It is said that body will refer this business to the President to act as he thinks best. Finnelson has returned but Mr. Allison has not- I expect him in ten days. Be very particular in all your orders and accounts; send me by the return of Donnelson, Kellems, and Evans (who came with Phillips) all your accounts stated up to the First day of January in the manner as directed in my letters by Mr. Jackson. They are to return when you shall direct them. Part of the arms have arrived the remainder with the Brass cannon & ammunition may be expected in ten days- some regular Troops are also expected.- The Cavalry must find their own Rations & Forrage for which they will be paid. Col. King writes to Hays & Jackson about supplying the Company of Infantry.

I am Sir,

Your Obedient Servant,

WM BLOUNT.

Brig. Gen'l Robertson.

[Invoice and Memorandum. Gov. Blount to Gen. Robertson. 1792.]

Goods necessary to be given the Chickasaws and Choctaws in presents in the proposed Treaty at Nashville the ensuing summer

50 good Rifle guns, for the Mountain leader and those who joined General St. Clair's Army and some other Chiefs.

1000 lb Powder

2000 lb Lead

500 three point blankets.

500 Two & One half Do

500 two ——— Do ———

100 pieces blue Stroucs

500 yards Calico

1000 yards Linen

1500 yards Lincey

100 pieces binding blue red & yellow

50 Suits of clothes & hats for Chiefs

One piece good Scarlet for legging &c

Needles and Thread

500 Scalping Knives

This is a copy of the Invoice of Goods which I have recommended to be sent for the proposed Treaty with the Chickasaws and Choctaws from Philadelphia and I expect will be sent By Mr. Allison except the Powder and lead and those articles I count on obtaining either here or at Cumberland. You say in one of your Letters you can contract for a quantity of lead to be delivered at Nashville at a given Price and Time neither of which do I just now remember and I have not Time to look your Letter—But I wish you to if you can a Conditional Bargain for as much Lead as is mentioned say 2000 lb or under, for perhaps 1000 lb might answer the Purpose if the whole quantity can't be got on good Terms to be delivered by the 15th day of July, the condition I mean is that the Merchant or Seller should be bound to deliver at a certain price in Case you choose to take it and you not bound to take it unless you please. The probability that I shall be forced to take some lead at Cumberland is very great and so you may hold out to induce some Body to make provision for supplying me and it will be a good Bait for a Conditional Bargain. Lead is to be had very cheap at the

French Broad Mines but I fear the want of water. Indeed I fear the want of water so much that I have been making calculations for Packing the Goods through the Wilderness to Cumberland River and if there is not water in the Tennessee this must be done and then down the Cumberland in Canoes. Obstacles of this Sort must prevent the Treaty. I write to A. Moore to come to me, pray should he have any difficulties in his way use your Interest to remove them- I can't do without him.

[Petition of Tennessee County to Gen. Robertson. Navigator of the Mississippi River and Indian Affairs]

Honble, Brigr. Genl. James Robertson

The petition of a Committee held for the County of Tennessee on the first Day February 1792. Most Humbly Sheweth

That your petitioners having convened together at the request of the Distressed part of Tennessee County in order to set forth their grievances, and to pursue some method for their relief- Beg to represent to you Sir, That they have much to Dread from the Indians as the Spring Season Approaches; The Recent murders & ravages Committed by them on our Frontiers, too evidently proves their Intentions on this quarter. We already feel the effects of the navigation of the river being Shut up by which means we shall be Deprived of the very necessary article Salt; That article having already raised in its price to the one fifth part than the Common price. Immigration to this Country by water must Consequently Cease. We also beg leave to assure you that the Frontiers will break unless some speedy method is Taken to secure them from the Inroads of the Savages which must be followed with the most fatal Consequences. We are much afraid Sir, that Government has not vested their officers in this Country with Authority to Carry on Expedition against any Nation or Village of Indians,- yet we are confident that something must be done with the Indians that do the mischief on our Frontiers. We are willing to pursue every Lawful means to procure peace and Tranquility among us; Therefore we beg leave to suggest to you the Idea that an Express from you to the Commandant at New Madrid Setting forth to him that it is his people that does the mischief in our Coun-

try, and what ever you think most proper, might answer some good purpose. We also think that a full representation of our grievances, & Situation had better be immediately laid before Governor Blount; We have the greatest Confidence that you will immediately do everything in your power to relieve the Distresses of the people under your command.

Let us hope Sir that we shall receive some answer of Consolation by our Trusty friends Mr. McCallester & Capt Thos. Johnson. And your petitioners as in duty bound will ever pray &c.

WILLIAM PRINCE, CHM.

[Instructions from Gov. Blount to Gen. Robertson as to forms for accounts and vouchers. It would seem that Gov. Blount is endeavoring to introduce a more accurate system in public accounts.]

General Robertson will please state his account as to the Caption agreeably to the Form inclosed herewith. The articles he charges it is presumed the General has purchased he will then have a regular account stated between himself and Person of whom he purchases signed by such Person as a voucher to support the General's own account against the Superintendent. It is wished that every voucher should be made out in a fair hand and on half a sheet of paper that every one may have the same fold, that is to be folded as this sheet is. All this is necessary to the General's account being passed and paid by the Superintendent and its necessary to the Passage of the Superintendent's own accounts at the Treasury.

Upon this being done the Superintendent will furnish General Robertson with money to pay for the articles to the amount of his account or give Bills at any Time to such Merchants as prefer them in Payment. If the General should furnish Horses or any other article from his own Stock except Provisions he will have it valued by some two men. People in public Appointment will be best not because they have better Jugt because their names will be known as being in office to those who are to pass on the accounts. Have you not made a mistake in charging a horse more than you intended.

[The following account is interesting, with respect to prices of commodities, form of keeping the Government accounts, and dealings with the Indians.]

DR. THE UNITED STATES IN ACCOUNT WITH JAMES ROBERTSON

	1792		Dollars	Cents
March 28	To 1 horse Bridle & Saddle furnished the Chickasaw Indians on their way to the President.	55		
	To 1 horse Brille and Saddle Ditto		50	
	Ditto.....	55		
	To 1 horse Bridle and Saddle Ditto			
	Ditto.....	12		
	To 600 lb of beef at 2 Dollars pr Hund furnished the Chickasaws on their way to Join Gen. Sinclear	2	50	
	To 10 Bushels of Corn & meal Ditto	9	25	
	Ditto.....	7	50	
	To 320 lb of Pork at 3 Dollars pr Hund furnished Ditto on Return	25		
	To 10 lb of powder for Ditto Ditto.....	5	25	
	To 1 Rifle Gun furnished a Creek Chief sent to this country under the Recommendation of Mr. Alexander McGilvery	2		
	To 7 lb of powder for Ditto & Six others of his nation.....	5	25	
	To 20 lb of lead Ditto Ditto.....	5		
	To mending Guns	2		
	To 350 lb of beef Ditto Ditto.....	7		
	To 3 blankets furnished the Chickasaws on their way to the President at 4 Dolrs.....	12		
	To 12 yards of linen at 1¼	15		
	To 1¼ yds of cloth at 2¼	3	14	
	To 1 penknife ½ S thread ½	1		
	To tin Cup and Looking Glass.....		75	
	To 1 horse Saddle & Bridle.....	55		

On the 2nd Day of April 1792 Brigadr Genl James Robertson made Oath that the within account is Just.

Sworn to before me

JOHN MCNAIRY

One of the Judges of
the Ceded territory South of
the River Ohio.

[Extract of a letter from the Secretary of War, dated 31st of March, 1792, to Governor Blount.]

I have received your favour of the 2d of March, with its enclosures; all of which I have submitted to the President of the United States.

He approves the calling the Chickasaws and Choctaws to Nashville, the first of June next for the purpose of conciliating and attaching them cordially to the Interest of the United States.

You will therefore take the necessary steps, to carry into full execution, the objects Contained in your letter, particularly the contracting for the necessary quantity of Provisions.

Mr. Allison will stay here until the goods are prepared, which shall be done as soon as possible, although it is doubtful, whether, until the arrival of the Spring Ships from Europe, a sufficient quantity of goods may be obtained.

[An interesting letter from Governor Blount to Gen. Robertson.]

KNOXVILLE, April 1st, 1792.

Sir,

Your Letter of the 11th Ult. was handed to me by James Donnelson and Robert Shannon Express to whose care this is committed. The Depredations committed by the Indians as mentioned in your letter of the above date and in Colonel Robertson's of the 28th of February on the peaceable Inhabitants of the District of Mero and which I most sincerely lament will certainly justify with the President the calling a part of the Militia into actual Service for the Defense and Protection of the Frontiers and I have no doubt but they will be allowed for their Services the Pay of the United States and eight cents for each Ration (as I presume they found themselves) upon proper Pay Rolls being returned by the Captains upon Oath with a Certificate from you signed in your official Capacity that the Service was performed and by your Order in Defense of the Frontiers when the danger was imminent. For the form of a Pay Roll I refer you to a form forwarded by Mr. Allison to Colonel Elijah Robertson, and I hope great Neatness and Exactness will be observed in making them out by some good clerk who writes a fair

Hand upon a sheet of Paper each. I observe you say speaking of the Determination of the Council of officers "ordered out a Party of about one hundred men to scour the woods between this District and the Tennessee." I hope it is meant no further than the dividing Ridge, the dividing line according to the Treaty of Holston, further might be considered as *offensive* being on the Indian's own hunting Grounds and you are to understand that the calling of the Militia into Service is only for Protection and Defense. You have not informed me what length of Time you have ordered the Militia into Service for nor how many and both were necessary for me to have known. Then I will presume you have ordered them into Service until my order on that Head is known to you and my order to you is that you call into Service one hundred and fifty-two noncommissioned Officers and Privates by voluntary Inlistments or otherwise to be formed into two Companies to continue in Service for three months after they shall appear at the Rendezvous by you appointed for the Protection and Defense of the Frontiers against the Hostile attacks of Indians. These Troops to be called into Service under the Militia law of North Carolina passed at Fayette in 1786 and to be governed while in Service by the Rules and Articles of war two copies of which are herewith sent you and will be allowed the Pay and Rations of the United States agreeably to the enclosed Schedule. You will station these two Companies on the Frontiers for the Defense and Protection there, or at such Place or Places or direct them to range under the Limitation of not crossing the Indian Boundary as you shall judge will best secure that object. These Companies are to be regularly mustered upon going and coming out of Service by a Person by me appointed and I have appointed and requested Colonel Hays to perform that Duty and immediately after the Service is performed the Muster Rolls, Returns and Abstracts with proper Documents must be forwarded to me that I may forward them to the War Officer for Examination and Payment. This Order to be carried into effect without delay and upon its being so far executed as that the two Companies have actually commenced the three Months Tour you are to understand that all Militia in Service in your District prior to that Event are no longer to be continued.

These two Companies only to be in Service unless there should be an indispensable necessity for more. There must be a Termination of the Service performed under your Order prior to the Receipt of this Order and a Commencement under this Order and Pay Rolls &c must be made accordingly even if the same men perform the same Services. As it is impossible for me to make arrangements at this distance for supplying these Companies with Rations, I must beg of you the favour to form a contract with some fit Person for supplying them on the lowest Terms you can observing that the highest Price for Ration must not exceed eight Cents and each Ration is to consist of the component Parts mentioned in the inclosed Paper No. 1. But should you not be able to get a Contract for supplying the Ration at or under eight Cents and the men called into Service will find themselves at that Price then and in that Case they may find themselves Rations and receive eight cents when they receive Pay for their Services. I trust two Companies will be found sufficient for the Protection and Defense of the Frontiers until I can send on an additional one from this District which is now about raising under the command of Captain Cooper but should you find they are not you will occasionally call out such additional Numbers as you shall judge indispensably necessary to that Object and discharge them as soon as the Necessity shall cease. And you will on all Occasions give me the Earliest and particular Information and the earliest Pay Rolls and other documents come forward the better; a delay even for a short time may postpone the day of Payment more than a year as every Sum of money for any Service is now paid only by Appropriation previously made by Congress. And you will please give me the earliest Information of the Destination you shall make of these two Companies and their Operations. These Troops being called out as Militia must be furnished with arms as the Militia law or North Carolina requires but Powder and Lead must be found them which must be purchased by the Person who shall contract to supply the Rations at the lowest possible Terms which shall be paid for as soon as the accounts are audited and paid and in order to secure the Payment at the the Treasury the Contractor must produce Vouchers agreeably to the "Regulations of Supplies in the Qr. Mr. Department" &c.

herein inclosed marked No. 2, in Case there should be no Contractors then you will please purchase the Powder and Lead yourself and observe the directions of the said Paper No. 2 in order to secure a Payment at the Treasury. When Captain Cooper comes on I will send forward a small supply as it can be had cheaper here than with you but as to arms I have none nor authority to purchase any. There is no national war with the Creeks nor Cherokees but the Information I have received of Numbers of Creeks going towards Cumberland across the Tennessee about the 20th February declaring they were for war as many as eighty in one body warrant a Belief that you are right in your Suspicions, that is they who have done you the mischief on the Frontiers and I am sorry to say it is quite certain that the Cherokees of the Running Water and Lookout Mountain have lately brought in several scalps and Prisoners taken on the trails leading to Cumberland from Kentuckie and the Natchez and that on their Return home they have held Scalp and other Dances in which they have exulted over the unhappy Victims of their Cruelty and boasted as is their Custom of their war Feats and that there is too much reason to fear that they too have had a Hand with the Creeks in the late Mischief. But from the arrangements I have made to obtain Information as to which or who it is I shall know to a certainty in a few weeks. The Little Turkey has addressed a Talk to the lower Towns saying he had heard and disapproved of their late conduct, that he should come to them no more to hold Talks that if they wanted to go to war go and he would sit still and look at them but they must not mix with the other Parts of the Nation, that he would inform me where they lived and what they were for and they and I might settle the matter as we could. And he has also given me Notice by the Path Killer (he who was wounded at Chota) of his having sent them this Talk. Since this Talk John Wates whose Friendship may be depended upon and his Exertions too in favor of Peace, has gone down to these Towns by Invitation to take the Place of the Dragging Canoe who is dead and it is believed he will soften if not altogether alter their Conduct. All this is or will be known to the President as well as the Sufferings of your District in a few days and you are not to doubt but he will Measures proper on the Occasion. I

shall decline making any demand of Satisfaction until I know how to act in Case of a Refusal. True it is the Order to Captain Roberts to march to the place was countermanded and he has marched to the Rouk landing in Georgia but be assured it was because the greater danger appeared in that quarter at that Time. I have not heard of Brown, Perry and Captain George since Capt. Spring passed on to Kentuckie but as I cannot believe any fatal accident has happened to them I daily, as I long have, look for their coming to this Place by whom I shall write to the Mountain Leader in the meantime what you have or shall write on the Subject of Friendship will be proper. If my Representation by Mr. Allison is attended to by the President I shall hold a Treaty with the Chickasaws and Choctaws the approaching Summer at Nashville. The Cherokee Chiefs who went to Philadelphia are on their Return by Land to the place loaded with presents for themselves and the annual Payment to the Nation according to the Treaty and I expect them here in the Course of ten days. All money due to any officer or Soldier will be paid to *themselves only* and not to their Order. This is mentioned that the Holders of Orders may not in future complain as they have in a late Instance respecting the Treaty Guard.

I am Sir with great Respect & Esteem
Your most obedient
humble servant
WM. BLOUNT

Brig. Gen. Robertson
District of Mero.

P. S. I am just informed by a message from the Old Slave of Coyatee that he has received a Talk from Watts saying he is on his way to me from the lower Towns with Twenty stolen Horses and one Prisoner. I had like to have omitted to inform you that I had engaged Mr. Lackie and Mr. McCoy to come to you Express with Orders for raising two Companies to have started on the Thursday after Donnelson arrived.—(He arrived on Monday.) You will not fail to send me an Express whenever one is necessary and I will pay them.

GENEALOGICAL QUERIES.

Aside from his inquiries into the ramifications of the Flournoy family of Virginia, the historical genealogy of which, both in Europe and America, Mr. Rivers has been publishing for two years in the Virginia Magazine of History and Biography, Mr. Flournoy Rivers, of Pulaski, Tenn., is interested in and would be glad to correspond about and pay for colonial and revolutionary and historical data of the following names and families:

RIVERS.—Antecedents of William Rivers, of Brunswick County, Va., who married a sister of the late Gov. Aaron V. Brown in Brunswick County; died in March, 1809, testate; will now of record at Lawrenceville, Va. The name existed in Lunenburg and Greenville Counties, both offshoots of Brunswick.

BROWN.—Aaron Brown, father-in-law of the foregoing, William Rivers, executor of his will and testamentary guardian of his sons, John and William, whom he brought from Virginia to Tennessee in 1813. He was born in 1757, died 1830. Also his father, Lewis Brown, said to have been a Scotch immigrant. Both Lewis and Aaron were soldiers of the Revolution.

CAMP.—Capt. John Camp, father of Dr. John Hamlin Camp, who was Speaker of Tennessee House of Representatives, pro tempore, 1821, and regular, 1827; a soldier of the Revolution; removed to Middle Tennessee from Brunswick (or Greenville?) County, Va., 1807; died at Elkton, Giles County, 1820, aged 66 years.

CANNON.—William Cannon, of "Mt. Ida," Buckingham County, Va.; came to Tennessee 1807-12, and removed to Caldwell County, Ky., about 1820; died, and is buried near Princeton, Ky., on the Bennett or Catlett place. His first wife was Sarah Mosby (below).

RODBS.—Tyree Rodes, one of the founders of Pulaski, Tenn. (See Act of Tennessee Legislature, Nov. 14, 1809); was son of John Rodes (2), son of John Rodes (1st), of Albemarle and Hanover Counties, Va.

NETHERLAND.—The Netherland family of Goochland County, Va., where John Netherland was Sheriff, Captain of Militia, etc. (See Mosby, below.)

MOSBY.—Benjamin Mosby, supposed to be immigrant, lived at what is now "Cumberland Old Court House," Powhatan County, Va.; died testate 1774; father of (among others) Littleberry Mosby, of "Font Hill," Powhatan County, who was member of Cumberland Committee of Safety 1775-76, and in the first Commission of the Peace Powhatan, June, 1777, and County Lieutenant 1780-81, Sheriff 1797; died testate 1809. His first wife (1748) was Elizabeth Netherland.

HARRIS.—The Harris family of Louisa, Albemarle and Hanover Counties, Va. Sarah Harris married John Rodes (2d). She had a brother, Tyree Harris, who removed from the parish 1758. Is he the Tyree Harris who was in the Commission of the Peace for Orange County, N. C., 1759, in Assembly 1760, and Sheriff 1766-67? (See Johnson vs. Dew, 5 Haywood's Tenn. Rep., p. 225.) This Harris family is supposed to be different from that of Capt. Thomas Harris, of the London Company. Is this true?

TYREE.—The Tyree family, of Virginia, of whom I have no data.

AVIRETT.—The Avirett family, of Onslow County, N. C. John Alfred Avirett, Sr., lived at "Richland," Onslow County. His son, J. A. A., Jr., wounded at New Hope Church, Georgia campaign, died soon after; Captain Fifty-eighth Alabama, C. S. A., 1864. Supposed to have been a Huguenot name—possibly they were of the seceders from the Huguenot colony at Manakin Town, Va., whom De-Richebourg led to North Carolina in 1707-9.

MARKHAM.—John Markham, said to be the immigrant, 1717. Dr. James Bernard Markham removed from Amherst(?) County, Va., to Hale (Green?) County, South Alabama,

many years ago. Lived many years in Perry County, Ala.

MASSENBURG.—Is this family of Prussian descent? The wife of Dr. James Bernard Markham was Eliza Massenberg, of Virginia.

HOLLAND.—James Holland, of Rutherford County, N. C.; was Sheriff of old Tryon County before its division in 1779, from July, 1777 to July, 1778; Second Lieutenant Hardin's Company, Locke's Regiment, North Carolina Militia; after the war was in the State Senate 1783, 1797, in the House 1786, 1789; in Congress, March, 1795, to March, 1797, and 1801 to 1811. (See Childress vs. Holland, 3 Haywood Tenn. Rep. 274; his will construed, 2 Yerger Tenn. Rep. 341 in case of Tyree Rodes and wife vs. Holland.) He died 1823.

GILBERT.—William Gilbert, of "Gilbert-town," near present Rutherfordtown, N. C.; said to have been immigrant, Scotch-Irish. In Commission of Peace of old Tyron up to April, 1776; Tax Assessor, in Commission of Peace of new County of Rutherford; in House 1780, 1782, 1783. His daughter, Sarah Gilbert, married above James Holland in January, 1780. His wife said to have been Sarah McCandless, of Philadelphia. She died at the Holland place in Maury County, Tenn., 1822. Gilbert is called "a loyalist" in Draper's "King's Mountain," which absurd error, I have ascertained, is due solely to the fact that Maj. Ferguson camped several weeks at Gilberttown, in September, 1780, and the historian, or rather his collector of traditions, for he never visited Gilberttown, imagined from this fact that Gilbert was a Tory. Armies do not generally quarter on their friends in an enemy's country, and the British army camped on Gilbert because he was a prominent Whig and was, in fact, then absent in the Assembly at Hillsboro.

POINDEXTER.—The wife of Benjamin Mosby (above) was a Poindexter. What of them?

FLOURNOY.—The American and European ramifications from Laurent Flournoy, the Huguenot of 1562-72. See Agnew's "French Protestant Exiles" and "La France

Protestante," including the progeny of both his descendants, Jacob, the immigrant of 1700, and Jacob's nephew, John James, 1717-20; "Huguenot Emigration to Virginia."

The questions indicate but a mere outline of the data, dates, records, I myself have on these subjects. Not so much tradition is desired as record evidence.

FLOURNOY RIVERS.

Pulaski, Tenn.

EDITORIAL NOTES.

AN INTERESTING LETTER OF THOMAS JEFFERSON.

The following letter from the Sage of Monticello, has been preserved in the archives of the Tennessee Historical Society. It is written in the well-known handwriting of Mr. Jefferson, and was folded in the olden style, and sealed with wax. It is directed:

Free

TH. JEFFERSON.

"MR. HUGH L. WHITE,

"Knoxville,

"Tennessee."

It was called forth by a communication from Hon. Hugh L. White and others, inviting the co-operation of Mr. Jefferson in behalf of the East Tennessee College, now the University of Tennessee.

This letter gives Mr. Jefferson's views on lotteries, which were at that time considered a legitimate means of raising money for public purposes. He also makes valuable suggestions with regard to college buildings and grounds.

MONTICELLO, May 6. 10.

GENTLEMEN:

I received sometime ago your letter of Feb. 28, covering a printed scheme of a lottery for the benefit of the East Tennessee College, and proposing to send tickets to me to be disposed of. It would be impossible for them to come to a more inefficient hand. I rarely go from home, and consequently see but a few neighbors and friends who occasionally call on me; and having myself made it a rule never to engage in a lottery or any other adventure of mere chance, I can, with the less candor or effect, urge it on others, however laudable and desirable its object may be. No one more sincerely wishes the spread of information among mankind than I do, and none has greater

confidence in its effect towards supporting free and good government. I am sincerely rejoiced therefore to find that so excellent a fund has been provided for this noble purpose in Tennessee. 50,000 dollars placed in a safe bank will give 4,000 dollars a year, and even without other aid must soon accomplish buildings sufficient for the object in its early stage. I consider the common plan, followed in this country, but not in others, of making one large and expensive building as unfortunately erroneous. It is infinitely better to erect a small and separate lodge for each separate professorship, with only a hall below for his class, and two chambers above for himself; joining these lodges by barracks for a certain portion of the students opening into a covered way to give a dry communication between all the schools. The whole of these arranged around an open square of grass and trees would make it, what it should be in fact, an academical village, instead of a large and common den of noise, of filth, and of fetid air. It would afford that quiet retirement so friendly to study, and lessen the dangers of fire, infection and tumult. Every professor would be the police officer of the students adjacent to his own lodge, which should include those of his own class of preference, and might be at the head of their table if, as I suppose, it can be reconciled with the necessary economy to dine them in smaller and separate parties rather than in a large and common mess. These separate buildings too might be erected successively and occasionally, as the number of professorships and students should be increased, or the funds become competent. I pray you to pardon me, if I have stepped aside into the province of counsel, but much observation and reflection on these institutions have long convinced me that the large and crowded buildings in which youths are pent up, are equally unfriendly to health, to study, to manners, morals and order; and believing the plan I suggest to be more promotive of these and peculiarly adapted to the slender beginnings and progressive growth of our institutions, I hoped you would pardon the presumption in consideration of the motive, which was suggested by the difficulty expressed in your letter of procuring funds for erecting the building; but on whatever plan you proceed, I wish it every possible success, and to yourselves the reward of esteem, respect and gratitude due to

those who devote their time and efforts to render the youths of every successive age fit governors for the next. To these, accept in addition, the assurance of mine.

TH. JEFFERSON.

AN OLD DOCUMENT OF THE STATE OF FRANKLIN.

This manuscript was presented to the Tennessee Historical Society, September 20, 1875, by Dr. J. G. M. Ramsey, author of the *Annals of Tennessee*. It is explained in the following letter of presentation:

Report of Committee on Privileges and Elections.—As to the election of W. Aimes as member of the Legislature from Hawkins County, N. C., or from Spencer County, State of Franklin, submitted Friday November 23, 1787, by Isaac Gregory, Chairman. It also contains, as is believed, a list of members of the Committee. This I expect is the only *official* paper of the Legislature of Franklin the Historical Society of Tennessee has in its collections, and should therefore be preserved with great care by our Secretary or Librarian.

Presented to the Society, September 20, 1875, by

J. G. M. RAMSEY, President.

Mecklenburg Place, Knoxville, Tenn., September 20, 1875.

Friday Nvem 23rd 1787

The Committee of privileges & Elections beg leave to report that they have examined the papers of evidence relative to the election of Thomas Amis and Stokeley Donaldson Esqrs to represent the County of Hawkins in the honble the House of Senate, by which it appears to your Committee, that John Hunt Esquire Sheriff of said County hath granted to Mr. Donaldson a certificate setting forth that he was on the third Friday & Saturday in August last duly elected. That George Ridley, Francis Maybury & Daniel Hamlin inspectors of the poll at the election held in said County have jointly granted to Mr Amis a Certificate specifying that he was duly elected, on said third Friday & Saturday in August it further appears to your Committee that said Inspectors have respectively sworn to & signed separate

certificates, setting forth that the Election was during both days conducted without commotion or interruption (except by one man who in the deposition) of George Ridley is set forth to have said in the hearing of the deponent whilst the poll was open that if the people were all of his mind he would have his vote or a blow and he did not care which he gave first until the close of the second day of Election at which time the poll was closed, that the Sheriff nor his deputy did not attend on said last mentioned day but that the election was conducted under the inspection of the deponent.—Your Committee further report that it appears from the testimony of W. N. Henderson taken on oath before your Committee that Mr Peter Turney said to be the Sheriff of a County called Spencer which interferes with the present existing County of Hawkins did, as well as the real Sheriff of said County of Hawkins publicly advertise that an election would be held at the House of Mr Joseph Rogers on the Third Friday & Saturday of August aforesaid then & there to elect three persons to represent them in the General Assembly of North Carolina, that said Mr Turney was present at the opening of the Poll on the first mentioned day, but that the poll was opened by the Sheriff of Hawkins, that said sheriff did make proclamation that no person would be allowed to vote but such as had paid Tax and was qualified otherwise according to Law, that when about three votes were taken Col Cock appeared with a number of Men some of whom were from Greene County, that the deponent had undoubted information tho these men had come part of the way arm'd, in consequence of which he was apprehensive a riot would ensue, that he advised the sheriff to adjourn the election until the next day which he accordingly did, that the deponent, the sheriff and some other friends dispersed by different routes having previous thereto agreed to meet the ensuing day at the House of Mr Carmack, that they met according to said agreement, but from intelligence received that the opposite party threatened to route them, they adjourned to a third place, where the poll was opened by the sheriff and there being but a small number of voters present it was again closed in haste, it further appears to your committee from the information contained in the deposition of Benoni Perriman had before John Long Esq J. P. of Hawkins Co

that Mr Peter Turney aforementioned, when asked by the deponent who was to open the election, the Sheriff of the Old State or the Sheriff of the new, answered by both agreeable to a Resolve of Convention, that said Turney asked the deponent how they intended to take in the votes who answered that those only would be allowed who had given in their Taxable property and complied with the Law, that said Mr Turney replied if that was the case, the strongest party should take the House, and that said Turney also told the deponent before & since the Election that it was not the intention that the members should take their seats but to disconcert the election. Your committee therefore of opinion from the facts contained in the foregoing testimony, that neither of the parties is entitled to a seat, as the Testimony of Mr Henderson, corroborated by that of Mr Berryman fully evinces that the party who fled from the first appointed place of holding the election had real cause for bodily fear, consequently the election there carry'd on was disorderly and illegal, and that the Election carry'd on by the party who dispersed and assembled at different places is illegal, as they have neglected to return a state of the poll, with the names of voters according to Law, which is also neglected by the opposite party.

Your committee therefore recommend that a new writ of election be issued for the election of a member to represent said County of Hawkins in the House of Senate all of which is humbly submitted.

ISAAC GREGORY C

EXTRACTS FROM "THE CLARION AND TENNESSEE
STATE GAZETTE," VOL. VI. NO. 359, PUBLISHED
AT NASHVILLE, TENN., THURSDAY, SEP-
TEMBER 8, 1814.

This old paper is the memorial issue of the "Clarion." Its columns are in mourning on account of the death of Gen. James Robertson. It was presented to the Tennessee Historical Society by Miss Leonora Cheatham, April 6, 1858.

It contains many interesting articles, among which is a proposition for bids for furnishing rations to the war Department.

Its advertising columns are printed inverted, giving the paper a peculiar appearance.

It also contains news of the defense of Fort Erie, during the War of 1812-'15.

War Department, July 14, 1814.

NOTICE IS HEREBY GIVEN. That separate proposals will be received at the office of the secretary for the department of war, until 12 o'clock at noon of Saturday, the last day of December next, for the supply of all rations that may be required for the use of the United States from the first day of June, 1815, to the first day of June, 1816, inclusive, within the states, territories and districts, following, viz.

1st. At Detroit, Michilimackinack, Fort Wayne, Chicago, and their immediate vicinities, and at any place or places where troops are or may be stationed, marched or recruited, within the territory of Michigan, the vicinity of the Upper Lakes and the state of Ohio.

2d. At any place or places where troops are or may be stationed, marched or recruited within the states of Kentucky and Tennessee.

3d. At any place or places where troops are or may be stationed, marched or recruited within the Illinois, Indiana and Missouri territories.

4th. At any place or places where troops are or may be stationed, marched or recruited within the Mississippi territory, the state of Louisiana and their vicinities of the Gulph of Mexico.

5th. At any place or places where troops are or may be stationed, marched or recruited within the district of Maine and states of New-Hampshire and their northern vicinities.

6th. At any place or places where troops are or may be stationed marched or recruited within the state; Vermont and its northern vicinity.

7th. At any place or places where troops are or may be stationed, marched or recruited within the state of Massachusetts.

8th. At any place or places where troops are or may be stationed, marched or recruited within the states of Connecticut and Rhode Island.

9th. At any place or places where troops are or may be stationed, marched or recruited within the state of New York and its northern vicinity and western.

10. At any place or places where troops are or may be stationed, marched or recruited within the state of New-Jersey.

11th. At any place or places where troops are or may be stationed, marched or recruited within the state of Pennsylvania.

12th. At any place or places where troops are or may be stationed, marched or recruited within the states of Maryland, Delaware and District of Columbia.

13th. At any place or places where troops are or may be stationed, marched or recruited within the state of Virginia.

14th. At any place or places where troops are or may be stationed, marched or recruited within the state of North-Carolina.

15th. At any place or places where troops are or may be stationed, marched or recruited within the limits of the state of Georgia and its southern vicinity.

A ration to consist of one pound and one quarter of beef, or three quarters of a pound of salted pork, eighteen ounces of bread or flour, one gill of rum, whiskey or brandy, and at the rate of two quarts of salt, four quarts of vinegar, four pounds of soap, and one pound and a half of candles, to every hundred rations. The prices of the several component parts of the ra-

tions shall be specified, but the United States reserve the right of making such alterations in the price of component parts of the ration aforesaid, as shall make the price of each part thereof bear a just proportion to the proposed price of the whole ration. The rations are to be furnished in such quantities, that there shall, at all times, during the term of the proposed contract, be sufficient for the consumption of the troops for six months in advance, of good and wholesome provisions, if the same shall be required. It is also to be permitted to all and every of the commandants of fortified places or posts, to call for, at seasons when the same can be transported, or at any time in case of urgency, such supplies of like provisions in advance, as in the discretion of the commander shall be deemed proper.

It is to be understood that the contractor is to be at the expense and risk of issuing the supplies to the troops, & that all losses sustained by the depredations of the enemy; or by means of the troops of the United States, shall be paid by the United States at the price the article captured or destroyed as aforesaid on the deposition of two or more persons of credible characters, and the certificate of a commissioned officer, stating the circumstance of the loss, and the amount of the articles for which compensation shall be claimed.

The privilege is reserved to the United States of requiring that none of the supplies, which may be furnished under any of the proposed contracts, shall be issued, until the supplies which have been, or may be furnished under the contract now in force have been consumed.

JOHN ARMSTRONG.

August 8.

2m.

EXTRACT OF A LETTER FROM R. LAMBERTON ESQ., NOW AT BUFFALO,
TO HIS FRIEND IN CARLISLE, DATED:

Buffalo, Aug. 15.

"A boat arrived this morning with the pleasing intelligence, that about 1000 or 1200 of the enemy were killed, wounded and prisoners, in the attack on Fort Erie—our loss trifling.

"The enemy got possession of the upper bastion, which was by some means blown up, and destroyed 200 of the enemy. After which our troops sallied out and took about 200. Colo. (not General) Drummond was killed."

Richmond, August 20.

VIRGINIANS! PREPARE.

"The enemy, who has been desolating the Northern Neck, has received a fresh supply of ships and troops. Are ye ready for them? Ask your constituted authorities if every thing has *been done* which ought to be done? How long will it be before these buccaneers will fly at higher game than what they have attempted—how long before they will extend their ravages from our fields to our cities?

Does this idea arouse you, my countrymen? Then gird on your swords. Fly to meet an enemy that lays all before him in ruins. Proud (VIRGINIANS!) you have a character to support—a character which your fathers bequeathed you during the war of the Revolution—a character which your brothers on the fields of Hampton and of Chippeway have washed brighter with their blood.—Let the enemy come when he may, meet him with the resolution that becomes you—and he will rue his rash enterprize in blood.

If there are not troops enough to defend those points which the enemy may attack, let them be immediately called out. Let no expence be spared to save the honour of our country. Peace! talk not of Peace, when we have such an enemy in our Bay. If there were to be Peace in a fortnight the cost of the troops would soon be over—but how should we relish a peace, which would be ushered in by dames of our cities? If peace is not to return so soon, there is no surer way of making your enemy disgusted with such enterprizes than by repelling him at first with vigour and success. To arms, then! to arms!"

Enquirer.

"We are happy to state that the gallant Captain Porter has been appointed to the command of the new 44 gun frigate now building at Washington."

"The frigate JAVA, rated 44 guns, was launched at Baltimore on Monday 8th inst, amidst the plaudits of 20,000 admiring spectators. She is to be commanded by Capt. PERRY the gallant *Hero of Lake Erie*."

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THE RECONSTRUCTION PERIOD IN TENNESSEE.

BY R. L. M'DONNOLD, NASHVILLE, TENN.

The Reconstruction Period in the History of the United States is understood to comprise the time from the regaining of the Confederate States by the Federal armies to the overthrow of the military governments and the repossession of power in those States by the Southern whites. The period of reconstruction in Tennessee conforms in general to these limits. In this State, however, the history of that time presents some features so entirely different from that of any other State as to make it a period absolutely unique. To show these peculiar features, and to give an outline of this period of Tennessee history, is the purpose of this paper.

For a proper understanding of all that follows, it is necessary briefly to review the events that immediately preceded the period. In January, 1861, after the election of Lincoln and the secession of South Carolina, the legislature of Tennessee submitted to the voters the question of calling a convention to dissolve the connection between the State of Tennessee and the United States. The people voted against the convention. But on the 12th of April, 1861, Fort Sumter was fired upon, and President Lincoln called for volunteers to defend the Union. The Secretary of War telegraphed to Gov. Harris that Tennessee would be expected to furnish her quota,

but the Governor wired back a spirited refusal.^a These startling events aroused the people, and wrought a complete change of sentiment. The legislature was again called in extra session,^b and by its authority the Governor entered into a military league with the Confederacy. June 8th, following, the question of secession was again submitted to a popular vote. Many who had before opposed it, including John Bell himself, now favored secession, and the proposition was carried by a vote of more than two to one. The members of the United States Congress from the seceded States withdrew, with the exception of Andrew Johnson and a few others.

During the war which followed these events this State was one great battle field. This portion of history is well known, and need not be retold. Tennessee was the first State to succumb to the Union army. Fort Henry was captured on the 6th of February 1862, and Fort Donelson ten days later. These forts had been relied upon to protect the capital, and their fall compelled the Governor and the Legislature to retire to Memphis.^c In March Generals Smith and Buell arrived in Nashville, and the Union flag again floated over the capitol.

Even for the short time covered by this resume, there are some points of difference worthy of emphasis. The Tennessee ordinance of secession^d itself bears the stamp of that independence which is characteristic of Tennesseans. This document waives the constitutional right claimed by most of the other ordinances, and declares for secession as a revolutionary right, needing no other justification than the natural privileges of free men.

Another peculiarity marked the difficulties which lay in the way of Governor Harris after his State seceded. Tennessee had neither arms nor organized troops. She was exposed to invasion along her northern boundary which stretches nearly four hundred miles, and was open to attack from the Mississippi river on the west. A large portion of her citizens,

a. See the original telegrams, Tennessee Historical Society Library.

b. Acts of Tennessee 2d extra session, 1861.

c. Miller's Manual of Tennessee.

d. See Tennessee papers, 1861, and Acts of Tennessee, 1861.

moreover, especially in East Tennessee, were firm Union men. Harris met all these difficulties with promptness and ability.^a

A third point to be noted, lies in the fact that Tennessee furnished a larger proportion of troops, counting both Union and Confederate soldiers, than any other State.^b The number of Tennessee troops in the southern army was about 115 000; in the northern army 31,000 whites and 20,000 colored. There are other minor peculiarities, but these serve to show the spirit of the people and the time.

The history of reconstruction in Tennessee begins in 1862 with the capture of the State by the Federal armies, and ends with the regaining of full control by the Democrats in 1870. It is the intention of this paper to relate the main facts of this period, and to show that the unique features which characterized it may be grouped around three distinctive peculiarities, viz: that Tennessee escaped executive emancipation and congressional reconstruction; that at the hands of a controlling minority of her own citizens she suffered compensating evils for all these privileges; and that the problem of regaining control with which the Democrats of the State were confronted was different from that in any other State.

The first executive action which separated Tennessee from the other Confederate States, was the omission from the Emancipation Proclamation issued by President Lincoln January 1, 1863.^c Parts of Louisiana and Virginia were expressly excepted as not being in a state of rebellion, but no mention was made of Tennessee. This was done, not for the purpose of permitting the continuance of slavery in the State, but in order to allow the citizens to abolish it themselves. The omission was made at the request of Andrew Johnson.^d The President had unbounded confidence in Johnson, and yielded to his views respecting the best method of restoring Tennessee to the Union. It is possible that in urging this action, Johnson was actuated by an ambition to have for himself the credit of abolishing slavery in his own State.

a. Three Decades of Federal Legislation, S. S. Cox.

b. Ms. letter of Gen. Marcus J. Wright and official records.

c. See newspapers and histories for copies of the proclamation.

d. Blaine, Twenty Years of Congress.

This was not the only privilege extended to Tennessee. It was Lincoln's intention to restore all the seceded States as soon as possible to full relations. His death prevented the accomplishment of this plan in the other States; but since Tennessee fell under Federal control so early in the war, the President's generous design was so far carried out before his death that the State was enabled to escape congressional reconstruction entirely.

November 3, 1862, after the capture of Nashville, President Lincoln appointed Andrew Johnson military governor of Tennessee, with full instructions to take such steps as might be necessary to restore a republican form of government.^a Johnson had fought secession from the first, and when his State left the Union, he remained in the Senate.^b His course and his speeches attracted the attention of the entire North, and led to the honors afterwards bestowed upon him. His term as governor was mainly occupied in restoring order and establishing, as far as possible, the authority of the government.

There was a large number of citizens in this State who had always been loyal to the United States Government, and these men were anxious to have Tennessee readmitted to the Union. In September 1863, a delegation of these called upon the President and urged him to proceed with all possible dispatch in restoring the State to its former relations.^c He accordingly instructed Johnson to exercise such powers as might be necessary to enable the loyal people of Tennessee to frame a Republican form of government, such as could be recognized by the United States.^d In December of the same year, the President issued a proclamation offering amnesty and pardon to all Confederates who would lay down their arms and take the oath of allegiance, except certain prescribed classes.^e He also declared that when in any of the States in rebellion a number not less than one-tenth of the voters should establish a government, Republican in form, it would be ree-

a. Introduction to Acts of Tennessee, 1865.

b. Three decades of Federal Legislation.

c. Nashville Dispatch, September 18, 1863.

d. Acts of Tennessee, 1865, (Introduction.)

e. Three Decades of Federal Legislation.

ognized as the true State Government, and would receive the protection of the United States.

Acting upon this proclamation, the executive committee of the loyal citizens in Tennessee called a convention to be held in Nashville, December 19, 1864, to take steps for restoring Tennessee to the Union.^a The presence of Hood's army around Nashville prevented the convention from assembling at the appointed time so it met the 9th day of January.^b This convention proposed amendments to the State constitution as follows:^c

Article 1, Section 1, Abolishing slavery.

Article 2, Section 2, Forbidding the legislature to make any laws recognizing the right of property in man.

Schedule: Repealing section 31, which declared that the General Assembly should have no power to emancipate slaves; repealing the ordinance of secession; declaring the military league between Tennessee and the Confederate States dissolved; suspending the statute of limitations; declaring all acts of the State government since May 6, 1861, null and void, except decisions of courts; submitting the amendments to the people, and providing that the qualification of voters and limitations of the franchise might be determined by the first legislature which should assemble under the new constitution.

Appended to the above was a resolution directing that all voters who voted on the amendments should take the "iron clad oath" to the effect that they would henceforth support the Constitution of the United States; that they rejoiced in the downfall of the Confederacy, and the victories of the Union armies; and in general that they would aid loyal men in every way possible in the attainment of these ends.

Governor Johnson authorized the opening of polls and the holding of the election, as provided by the convention. The amendments were ratified. On the 28th of February the Governor declared them adopted, and authorized an election on March 4, for Governor and Assemblymen, he himself having

a. Introduction to Acts of 1865.

b. It was intended to hold it on January 8th, the anniversary of the battle of New Orleans, but that day fell on Sunday.

c. Introduction to Acts of 1865.

been chosen Vice President of the United States the preceding November. At this election William G. Brownlow,^a celebrated as a Whig editor for his powers of vituperation, was elected Governor.

The new legislature assembled in April, 1865. It promptly ratified the 13th amendment to the United States Constitution,^b which was then pending. The members, feeling that they had complied with all reasonable conditions for restoration, adopted a resolution requesting the Governor to communicate to the President the fact that the loyal people of Tennessee had amended their constitution in accordance with his requirements, and that they were anxious to have their rights restored.^c

But in the meantime, Lincoln had been assassinated, and Congress, having taken affairs into its own hands, was not disposed to be so liberal toward the seceded States as he had been. Some members favored the immediate reinstatement of Tennessee, but others violently opposed it, and readmission was delayed more than a year.^d The senators and representatives who had been sent to Washington were refused admission. Some of the Radicals, as the extremest Republicans were called, wished to force upon Tennessee a military government like that which the other Southern States suffered. At length, however, in May, 1866, Thaddeus Stevens introduced a bill to admit Tennessee provided that she enfranchise every class of her citizens by January 1, 1867.^e This bill was so amended that the only condition finally prescribed was the ratification of the 14th amendment.^f

Accordingly, on the 19th of June, Governor Brownlow called the legislature in extra session to consider the amendment. A proposition to submit it to the people was defeated, and the amendment was promptly ratified.^g A joint resolu-

a. See sketches of his life in newspapers of the time.

b. Acts of 1865.

c. Acts of 1865.

d. Congressional Globe, 1865.

e. Congressional Globe, 1866.

f. Congressional Globe, 1866.

g. Acts of Tennessee, extra session 1866.

tion restoring Tennessee to the Union was thereupon passed by Congress, July 23, 1866.^a It reads as follows:

Whereas, in the year 1861 the government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the government of the United States, and the inhabitants of said State in pursuance of an Act of Congress were declared to be in a State of insurrection against the United States; and whereas, said government can only be restored to its former practical relations in the Union by the consent of the law-making power of the United States; and whereas, the people of said State did on the 22nd of February, 1865, by a large popular vote, adopt and ratify a constitution of government, whereby slavery is abolished and all ordinances and laws of secession and debts contracted under the same declared void; and whereas, a State government has been organized under said constitution which has ratified the amendment to the Constitution of the United States abolishing slavery, also the amendment proposed by the 39th Congress, and has done other acts denoting loyalty: Resolved, That the State of Tennessee is hereby restored to her proper relations to the Union, and is again entitled to be represented by senators and representatives in Congress.

President Johnson, though not recognizing the right of Congress to pass laws preliminary to the admission of qualified representatives from any State, signed the bill,^b for he did not wish to let any obstacle prevent the admission of the Tennessee delegation. The senators and representatives took their seats, and Tennessee became once more a recognized member of the Union.

These facts show that Tennessee, first to enter the Union from new territory,^c justly called "Volunteer" State in the Indian and Mexican wars, leading all others in the proportion of troops furnished both sides, and last to secede, sustained her reputation for originality and independence by her manner of re-entering the Union. As stated above, she abolished slavery by a voluntary amendment to her State Constitution.

a. Acts of Congress, 1866.

b. S. S. Cox, *Three Decades*, etc.

c. See article by Dr. W. R. Garrett, in *Nashville American*, 1895.

The election at which this and the other amendments were adopted is remarkable for the almost unanimous vote cast in favor of them by the loyal citizens. The Emancipation Proclamation controlled the action of the other Southern States. While it did not affect them directly so long as they were in the Confederacy, it did emancipate the slaves as fast as those States were regained by the Union army. But Tennessee, omitted from the proclamation, before the adoption of the 13th amendment, and under no compulsion, manumitted her slaves of her own free will. It has also been shown that this was the only State voluntarily to renew her allegiance to the United States before the war closed. Virginia was the only other Confederate State that contained any considerable portion of Union men. But that portion of Virginia which adhered to the United States government was separated from the rest and brought into the Union as a new State. This distinction is therefore justly claimed by Tennessee.

But these special privileges which Tennessee enjoyed were more than counterbalanced by the evils which she suffered at the hands of a controlling party of her own citizens. These evils were, mainly the results of arbitrary and oppressive acts of the legislature. The ex-Confederates had no voice in the government for several years after the war closed, and the affairs of the State were in the hands of the extremer wing of the Republican party, generally known as the Radicals. The leading spirit of this party was Governor Brownlow. He favored severe treatment for the ex-Rebels. A large majority of the legislature were in full accord with his opinions, and nearly always followed any course he might suggest. Through his influence many acts were passed which were considered by the Confederates to be unjust and tyrannous.

Most of these acts were outlined in Brownlow's first message.^a This document strongly condemned secession and recited the evils it had inflicted; called attention to the proposed 13th amendment and recommended its ratification; called attention to the ravages of guerrillas, and proposed increased severity of laws for their punishment; suggested organizing a

a. Acts of 1865. Introduction.

force of militia to be placed in the hands of the executive; called attention to the decrease of revenue and the great debt of the State, yet, curiously enough, favored an increase of salaries; recommended reorganizing the common schools and establishing an Agricultural College; favored winding up the affairs of the state bank, and establishing the national bank system; called attention to the necessity of restricting the suffrage; and recommended electing senators and representatives to Congress. This remarkable message was almost an exact outline of the course actually pursued by the Brownlow government.^a Space will permit nothing more than a brief outline of the most important of these acts.

From the beginning of his administration, it was the declared intention of Governor Brownlow and his party to disfranchise all that disagreed with them in their political views.^b Among the first acts of the legislature of 1865 was one restricting the franchise.^c Under this law, the right to vote was limited to unconditional Union men, including those from other States who had been in Tennessee six months;^d to white citizens conscripted by force into the Confederate army; and to voters in the elections of 1864-5, who were known to be true friends of the United States Government. Rebels, and all who had aided them in any way, office holders or agents under the Confederate Government, and refugees from Federal lines into the Confederate States were debarred from voting for fifteen years. All other persons were excluded for five years. Any voter might be challenged by an admitted voter, in which case the judge of the election should administer the iron-clad oath. Registration certificates were to be issued by the County Court Clerks.

The elections which took place under this act were not satisfactory to the controlling party,^e and steps were taken to make the law still more stringent. It was claimed that the

a. Many other recommendations were made which are not given here; nearly all his recommendations were carried out. See his messages and the Acts of Tennessee '65 to '68.

b. See various signed communications in the papers of the time.

c. Acts, 1865.

d. This admitted the class called "carpetbaggers."

e. See files of Nashville "Press and Times" 1865-6.

first law worked imperfectly, and that in some places it was practically a dead letter. Governor Brownlow^a declared that the extraordinary events which had taken place showed that the public safety required a thorough revision of the suffrage laws. He stated that the deliberations of the Assembly at its first session had been broken up by the action of some members, (who resigned, thus breaking the quorum;) and that those members had been re-elected. As a proof of the imperfection of the law he declared that in Davidson County, where it was claimed the Act of 1865 disfranchised three-fourths of the voters, the total vote exceeded by one thousand the vote before the passage of the Act.

The principal feature of the proposed new law was the provision that the Governor should appoint a Commissioner of Registration for every county to issue certificates in place of the County Court, and that all applicants for registration certificates should be required to prove their loyalty by two competent witnesses, and to take the test oath. The Democrats and conservative Republicans generally opposed this bill, but it was nevertheless enacted. The Nashville Republican Banner^b said that in passing this law, the Assembly met without a quorum, overruled the decisions of their presiding officer, selected from a number of members, elected at the same time and in the same manner, four to suit their purpose and admitted them, but excluded the others; all against the will of a majority of the Union men in the State.

In February, 1867, the franchise was again revised.^c Charges of fraud committed by Democrats were frequent, and Brownlow was determined to prevent them. The new act enfranchised negroes and revoked all certificates of registration issued by County Court Clerks under the former law. The Commissioner of Registration was authorized to take contravening testimony concerning the competency of voters, and was to be himself the sole judge of conflicting evidence. In March,^d the registration in Davidson County, reported fraudu-

a. Messages, 1866.

b. April, 1866.

c. Acts of Tennessee, 1867, and Miller's Manual.

d. Acts of Tennessee, 1867.

lent, was declared null and void; the same provision was made for any other counties whenever it appeared to the satisfaction of the Governor that frauds had been committed.^a These measures put all elections completely under the Governor's control, and in effect accomplished the desired end of disfranchising all but Radicals.

The legislation concerning negroes, and the progress of civil rights are interesting. Slavery having been abolished, all felt that something must be done for the freedmen, or with them. Brownlow in his first message favored providing for them a separate territory and settling them down as a nation of freedmen. In the South, not even the Radicals at first favored negro suffrage. Brownlow^b declared that Congress had no right to fix the qualification of voters within a State, and that the time had not come for negro suffrage in Tennessee. But the adoption of the 14th amendment accustomed them to the idea. Under pressure of Northern sentiment, the ruling party became more and more inclined to give the negroes equal rights. The Assembly of 1866 defined "persons of color" and granted them the right to sue and be sued, to make and perform contracts, to be parties and to give evidence, to inherit, and to have full benefit of all laws for the security of persons and property. Their blind and insane were given the benefit of all laws and asylums and the issue of slaves was legalized, but the right of sitting on juries was withheld. The franchise act of 1867 gave negroes the ballot. Penalties,^c also, were inflicted upon common carriers for making among their passengers distinctions based upon race, color or previous condition. In 1868,^d freedmen were given the right to sit on juries and to hold office, the last disabilities being thus removed. These acts gave the negroes an exaggerated idea of their own privileges, and this caused friction between the races. Unscrupulous men were not wanting, moreover,

a. In this year Emerson Etheridge announced himself a conservative candidate for Governor, in opposition to Brownlow; but after the passage of the franchise law of that year, and the stationing of troops in various localities, he withdrew.

b. Miller's Manual under 1865.

c. Acts of 1867-8, chapter LXXVI.

d. Acts of 1867-8, chapter XXI.

who for political reasons endeavored constantly to increase the ill feeling between the freemen and their former masters. These efforts were only too successful, and much trouble resulted.

We come next to the Militia Law. To assist him in maintaining control of the State, it was part of Brownlow's policy to organize bodies of partisan troops. Hence originated the celebrated Brownlow Militia Law of 1866 and 1867. This was claimed by the Brownlow party to be necessary for the purpose of protecting loyal citizens, especially negroes, from violence at the hands of rebels, and of guarding against frauds in elections. The Governor was authorized to enlist and equip a body of troops to be known as the State Guard^a. Any or all of the Guard were subject to the Governor's order whenever in his opinion the safety of life, liberty, or property demanded it. The troops, when organized, were composed largely of negroes, and this rendered them especially obnoxious to the Southern whites. The Democrats declared that the real purpose of the militia was to harass and intimidate the conquered Rebels, and to confiscate their property under pretense of protecting the negroes. Numerous acts of wanton violence were attributed to the Brownlow militia^b, and the facts place it beyond doubt that many of the charges were true.

Notwithstanding the resentment felt by the ex-Confederates on account of what they thought to be the plan of the Brownlow party to give the negroes political and military control over their former masters, there were comparatively few instances of violent resistance on their part. There were however, occasional outbreaks. On the 1st and 2nd of May, 1866, riots between whites and negroes occurred at Memphis^c. General Runkle, Superintendent of Freedom at Memphis, testified that at the beginning the negroes were to blame^d. But the Legislature placed the blame upon the whites, and made these riots the occasion for passing the Metropolitan Police

a. Acts of 1866-7, Chapter XXIV.

b. See files of Tennessee papers, 1866-7-8.

c. Nashville Rep. Banner, 1866.

d. Nashville Rep. Banner, 1866.

Law.^a By this act, the control of city affairs in Memphis was taken out of the hands of the Mayor and Council, the office of Recorder was abolished, and the city government was given to three Commissioners appointed by the Governor.

A clause stated that the act should apply to Nashville and Chattanooga. The Mayor and Council, and many conservative Union men of Nashville petitioned the Legislature not to include Nashville.^b General Thomas, Judge Lawrence of the Freedmens Bureau, and others, testified to the trustworthiness and efficiency of the Nashville police. Notwithstanding these protests, the bill passed including Nashville in its provisions. The citizens of all the cities obstructed the act by all kinds of litigation, and the courts made no appropriation for the support of the commissioners. Not to be outdone, the Legislature directed the State Treasurer to advance sums as they were actually needed for carrying out the provisions of the act, and provided for fining and imprisoning refractory officials who should refuse to levy and collect the assessment.^c The history of this act thus briefly outlined illustrates the feeling which existed among the Radicals, the ex-Confederates and the negroes.

In 1866, when the special session of the Legislature had been called to consider the fourteenth amendment, some of the members opposing it refused to attend, and when the Assembly met, the House had no quorum.^d Warrants were issued for the arrest of absent members. On July 17th, Representative Williams of Carter County was arrested by the Sergeant-at-arms and brought before the House. A petition for a writ of habeas-corpus for his release was granted by Judge Frazier of the Davidson County Criminal Court. The Legislature declared by resolution that the Criminal Court had no right to interfere with their proceedings,^e and refused to obey the writ. The House decided that as Williams, and Martin

a. Acts of 1866, 1st Session, Chapter XXV.

b. See letter of Gen. Thomas, and other communications, Banner; May 9, 1866.

c. Acts of 1866.

d. See Nashville Banner, April 1866, Brownlow's messages, 1866, and resolutions of the Assembly, 1866.

e. Resolutions of Assembly, extra session, 1866.

another arrested member, were present, although they did not vote, it had a quorum, and in this manner the amendment was adopted^a.

Williams' attorney denied the legality of the called session,^b and, moreover, denied the right of the House sitting without a quorum to arrest a member 100 miles away. Judge Frazier issued a writ of attachment to compel the release of Williams, and also a warrant for the arrest of Heydt, the Sergeant-at-arms. When the deputy sheriff went to the Capitol, he found the doors locked. Calling assistance, he forced the members to open them, but Heydt was not to be found. He released Williams who had been confined in the Capitol ever since his arrest^c.

Forced to yield in this instance, the Legislature in revenge appointed a committee to investigate the conduct of Judge Frazier. This committee reported that he deserved impeachment. He was therefore brought to trial before the Senate, was found guilty of exceeding his powers by disobeying the demands of the Legislature, and was removed from office.^d The Democrats condemned this verdict severely, and it made the Brownlow Government many new enemies.

No account of this government is complete without mentioning the large appropriations made by every General Assembly. Notwithstanding the impoverished condition of the country and the bankruptcy of the Treasury, salaries of public officials were increased and millions of dollars in bonds were appropriated to aid railroads and various other corporations.^e The State debt was greatly increased, and the expenses of the State Government exceeded those of the last Democratic administration before the war.^f Tennessee has not yet recovered from the burden of this debt.

a. Acts of Tennessee, extra session, 1866.

b. Report of the Frazier Independent trial.

c. Banner, April, 1866.

d. Report of Frazier Imp. trial.

e. \$14,393,000 to railroads alone—see Phelan, p. 293, (c)—See a detailed statement in the Nashville "Union," June 14th, 1867. Harris' administration 1859-60 \$1,721,851.52, Brownlow's 1865-7 \$2,460,311.21.

f. Report of Ku Klux committee, and Lester and Wilson's "Ku Klux Klan," p. 42, et. seq. and p. 56.

The other acts, considered by the opponents of the Radical party to be tyrannous and oppressive, cannot be enumerated here. There is along list of such laws. These measures were among the causes which led to the organization of the Ku Klux Klan.^a

This celebrated order originated in Pulaski, Tennessee in the summer of 1866. It was organized by some young men of that town, and was at first intended merely for amusement. Its mystery and its unique ceremonies attracted much attention and the order spread rapidly. As the membership increased, it was noticed that in localities where Klans existed there was a decided improvement in the behavior of the negroes and of certain classes of whites who had been making themselves obnoxious. No attempts had been made by the Ku Klux purposely to frighten these people into good behavior;^b this result was due to the terror naturally inspired in the superstitious negroes by the grotesque costumes and by the strange tales circulated by members of the Ku Klux in fun. The members realized that they had a powerful means for controlling the ignorant. There were many evils which demanded correction. The negro militia had been growing more and more insolent; neither property nor life were considered safe under the existing government; the condition of society had come to the point where it was no longer endurable.^c The members of the Klan perceived that by a change in its nature that order would serve to remedy those evils. Thus the Ku Klux gradually became a band of regulators, trying to protect life and property and to restore order.

In the summer of 1867 a convention of delegates from Tennessee and other Southern States was held at Nashville under the very eyes of the Radical administration.^d This con-

a. This statement is likely to be challenged, but it is indisputably true. A Ms. letter from one of the original founders is in the possession of the writer. This letter claims, and old inhabitants of Pulaski assert just what is affirmed above. See also Lester and Wilson's *K. K. K.* pp. 10-34.

b. "Ku Klux Klan," p. 38, 39, etc.

c. Testimony of various Southerners before the Ku Klux Committee. See report.

d. *K. K. K.* p. 51, and testimony given verbally by members of the convention.

vention perfected a most complete organization and devised a perfect system of machinery for its operation and government. The whole territory covered by it was called the Invisible Empire, and its chief officer the Grand Wizard, with almost autocratic power. The empire was subdivided, and the subdivisions were put under the direction of subordinate officers.^a

The most note worthy action of the convention was the prescribing of an oath and the fixing of limitations to keep members within proper bounds and to prevent lawlessness.^b Everyone joining the order was required to take oath to protect and defend the Constitution of the United States^c and all laws passed in conformity thereto, and to protect the states and people thereof from all invasion from any source whatever. This does not sound like the declaration of a set of outlaws defiantly continuing in rebellion against the United States.

For sometime the Ku Klux proved of vast usefulness, restoring order, preventing crime, and filling the negroes with wholesome awe. Their methods are well-known, and need no description here. In the main, the members adhered to their principles.^d Toward the last they took some desperate steps, but they were hardly to blame, considering the willful misrepresentation and unjust legislation to which they were subjected. The enemies of the Ku Klux Klan, in order to bring it into disrepute, often assumed its paraphernalia and committed outrages in its name.^e The negroes, encouraged by this example, began to arm themselves and to threaten,^f but even then, while warning them of the vengeance that would attend any such attempt, the Klan declared that it was not

a. K. K. K. p. 52. (b.) K. K. K. p. 54, and verbal statements from reliable men.

c. K. K. K. p. 54 and 55. Also printed copy of the constitution still exist.

d. K. K. K. p. 57.

e. K. K. K. p. 77, and testimony of Gen. Gordon and others before the Investigating Committee.

f. The negroes formed military companies, and drilled by night, with the avowed purpose of exterminating the Ku Klux, on several occasions the Klan was fired into. (See Lester and Wilson, p. 81)

an institution of violence; it was not lawless, aggressive, or military; it proposed to execute law instead of resisting it; it was not the enemy of the black so long as they behaved themselves, and did not attack or interfere with the Klan.^a

In 1868 the Tennessee Legislature passed a most severe and stringent anti-Ku Klux law,^b providing heavy fines and imprisonment for being connected with the order in any way. The Governor was also authorized to equip and call into service additional regiments of the State Guard. In February following the Grand Wizard issued a proclamation^c reciting the good accomplished by the Klan; but, he stated, some of the members had violated positive orders, and other men disguised as Ku Klux had committed outrages for which the Klan had been held responsible; he also mentioned the bloody anti-Ku Klux law, and gave it as the principal cause of his action. Therefore, in the exercise of his power the Grand Wizard declared the order disbanded. The command was promptly obeyed. Thus ended one of the most remarkable organizations in the history of this country.

The Ku Klux Klan has been entirely misunderstood, and maliciously maligned. It cannot be too strongly emphasized that it was mainly composed of the best men of the South,^d and every member was required to take an oath to support the Government and Constitution of the United States. It accomplished what nothing else could have done in that trying time. Some excesses were doubtless committed by members of the Klan, but these were comparatively few, and were without the authority of the order^e. It is a remarkable fact that even after the passage of the anti-Ku Klux law, not a single person, when arrested and stripped of his disguise ever proved to be a Ku Klux.^f Many arrests were made, but in every instance the offenders proved to be outsiders, frequently Radi-

a. See a General Order of the "G. D." published in Pulaski, in 1868.

b. Acts of Tennessee, 1868.

c. See Lester and Wilson, p. 112.

d. See Lester and Wilson, p. 73, and testimony before Committee.

e. See Lester and Wilson, page 76, 78, and testimony before Committee.

f. Testimony of Gen. Gordon, and K. K. K. p. 78.

cals themselves.^a Most of the crimes usually charged to the Klan occurred in the years 1870 to 1873,^b although as has been shown, the order disbanded early in 1869, and was therefore in no degree responsible for them. While all admit that evils attended its operation, yet impartial history will decide that the good the Ku Klux Klan accomplished was ample to justify its existence.

The Ku Klux, then organized for self protection; but previous to the Klan's beginning, and in some degree causing the change in the character of that order, another society, fully as secret and far more lawless, had been operating throughout the South. The Union League,^c or Loyal League, was composed, in the South, of negroes and the lowest class of whites. Carpet-baggers organized leagues for political purposes, and incited the negroes to crime.^d The outrages committed by these ruffians became intolerable and it is not wonderful that the whites executed summary vengeance. The Loyal League, however, suffered no arrests under the law.^e In the opinion of the State Government, the Ku Klux was the only "secret oathbound" order in the State. The League naturally outlived the Klan, and its lawless operation continued several years after the latter disbanded.

The severe measures adopted by the governing faction, of course, aroused opposition. The Democrats being disfranchised, there were but two parties in the State, the Radical and the Conservative. The latter steadily gained strength, while the former continually grew weaker. Seeing this they made every effort possible to entrench themselves permanently in power. In 1868 still further restrictions were thrown around the franchise.^f Instead of the sheriffs, the commissioners of registration were to hold the elections. The Governor was authorized to set aside the registration whenever he believed it to be fraudulent. The State Guard was still

a. Testimony of Gen. Gordon, and K. K. K. p. 77.

b. Testimony of Gen. Gordon and others, and files of Tennessee papers 1870-72.

c. Three Decades of Legislation, S. S. Cox.

d. N. Y. Times, 1868, Nashville Union, 1867-8, etc.

e. K. K. K. p. 108-9, and Nashville Union and Dispatch, 1867.

f. Acts of Tennessee, 1868.

further increased. The Legislature took the control of affairs in several counties away from the county courts, gave it to a board of three commissioners appointed by the Governor, and provided means to enforce obedience.

Notwithstanding these extreme measures, the power of the Radicals was evidently diminishing. This was inevitable. Even if their administration had been mild and beneficent, they could not have retained possession of the State Government, for they were but a faction of a party which was itself hopelessly in the minority. But as has been shown their course was the opposite of beneficent. Their acts, whether justified by conditions or not, rendered them unpopular with the conservative Republicans, and odious to the disfranchised Democrats. It was an open question whether Tennessee would not have fared better under Military Government like that set up in the other Southern States.

The Democrats were determined to regain control. But, as stated at the outset, this was, in Tennessee, a problem of peculiar difficulty. They had to wrest a State Government, already established, from the hands of their opponents, who were citizens of the State, and at the same time they had to avoid provoking the intervention of Congress, which kept a close watch upon all proceedings in the late Confederate States. It was a time which demanded patience, caution and wisdom.

The turning point came in 1869. In that year Brownlow was elected United States Senator, and resigned the Governorship.^a D. W. C. Senter, speaker of the Senate, according to law, became Governor for the remainder of the term. Senter soon found that he was distrusted by the Radicals, and he was, therefore, inclined to favor the more liberal element. He desired to be re-elected, but the Radicals did not dare to entrust a man of liberal proclivities with power.

The nominating convention failed to agree,^b the Conservative wing naming Senter for re-election, the Radicals, Wm. B. Stokes. The Democrats saw here their opportunity. They

a. House and Senate Journal. 1869.

b. See proceedings of the Convention in the Nashville papers.

promised Senter their support if he would allow them to vote.^a Preferring personal success to party advantage, he consented, and instructed commissioners of registration to give certificates to the Democrats. In consequence, Senter was elected, and for the first time since the war the Assembly was Democratic in both branches.

The new legislature lost no time in remedying as far as they dared, the evils of Brownlow's administration.^b The Metropolitan Police system in Nashville was abolished; Judge Frazier was restored to office, his disqualifications having been removed, the acts appointing commissioners for various cities and counties, the acts creating the militia and State Guard, the Ku Klux law, all laws granting aid to internal improvements, the law requiring candidates to take an oath, and numerous others of similar nature, were repealed. The 15th amendment submitted to this Legislature, was rejected.

The Democrats were determined to get rid of the other obnoxious laws, yet they felt that the safest plan would be to revise the constitution. Accordingly, all male citizens were authorized to assemble on the 3rd of December, 1869, to vote for or against calling a constitutional convention.^d No registration certificates or test oaths were required. Under these conditions, a convention largely Democratic was elected.

This was one of the most able bodies ever convened in Tennessee.^e A heavy responsibility lay upon it, and the people sent the best men as delegates. Its main object was to restore to citizenship and mastery the majority of the whites. This was not an easy task. The Radicals, whose power was to be destroyed by the new constitution, naturally opposed it. The agents of the Federal Government, which was controlled by the same party, kept a vigilant watch upon the proceedings. Indeed, in this year, an effort was

a. Miller's Manual, under 1869.

b. Acts of Tennessee, 1869-70.

c. It was, however, adopted by a sufficient number of States without Tennessee.

d. Acts of 1869-70, chapter CV.

e. See Caldwell's Constitutional History of Tennessee, under "Constitutional Convention of 1870."

made at Washington to overthrow the Tennessee Government and to reconstruct the State, and it was only through the efforts of D. B. Thomas and W. O'N. Perkins that the attempt failed.^a That the convention produced a constitution which accomplished the design of the Democrats, yet was permitted to stand, is greatly to the credit of the members.

The greatest difficulty was in adjusting the suffrage. After much debate the result was the re-establishment of the anti-bellum law, with the addition of negro suffrage, and limited by a poll-tax qualification.^b This constitution also forbids a political test as a qualification for office, prohibits slavery, forbids State aid to corporations, and provides against calling the militia into service except in cases of rebellion or invasion, and then only when the legislature shall declare that the public safety requires it.^c Several other changes were made in order to prevent the recurrence of such measures as had been adopted by the Brownlow government. But the chief work was the restoring of ex-Confederates to their rights.

The legislature which met in May, 1870, was mainly occupied with putting these provisions into effect by law.^d The Radical franchise laws were repealed and an act was passed in accordance with the new constitution. New counties were erected, the state was divided into judicial circuits, the time of electing officers was fixed, and, in general, the constitution was put into operation. In the first election which followed, John C. Brown, Democrat, was elected over W. H. Wisener, Republican, by a heavy majority, and the Southern whites were once more in entire control.

This ended the Re-construction Period in Tennessee. The facts which have been briefly outlined are believed sufficient to prove that it forms in every way claimed by this paper, a unique chapter in American History. But, however remarkable these events, the rapid recovery of the State from their evil effects is still more remarkable. With their prop-

a. Miller's Manual, under 1870.

b. See Caldwell's Constitutional History.

c. See Caldwell's Constitutional History.

d. See Acts of 1870.

erty destroyed, their slaves freed, their whole social system overturned, the brave Tennesseans set their faces toward the future. The history of the succeeding quarter of a century is the story of their struggles, their renewed prosperity, and the restoration of good feeling between them and their late enemies.

LIST OF AUTHORITIES CONSULTED.

- Phelan's History of Tennessee.
Caldwell's Constitutional History of Tennessee.
S. S. Cox's Three Decades of Federal Legislation.
Blaine's Twenty Years of Congress.
Miller's Manual of Tennessee.
"Parson Brownlow's Book."
Lindsley's Military Annals of Tennessee.
Herbert's Noted Men on the Reconstruction Period.
Humes' Loyal Mountaineers.
Report of the Reconstruction Committee to Congress.
Reports of the Ku Klux Committee.
Lester and Wilson's Ku Klux Klan.
Congressional Globe, 1860 to 1870.
Acts of Tennessee, 1861 to 1870.
Proceedings of the Constitutional Convention of 1870.
Report of the Frazier Impeachment Trial.
Report of the Johnson Impeachment Trial.
Reports on Outrages in the Southern States.
Life of Andrew Johnson.
Southern Historical Society Papers.
Files of the Nashville Republican Banner, 1866 to 1869.
Files of the Nashville Dispatch, 1862 to 1866.
Files of the Nashville Union and American, 1867 to 1870.
Miscellaneous Documents in the Library of the Tennessee Historical Society.

BEGINNING OF LITERATURE IN THE SOUTHERN
OHIO VALLEY.

BY S. A. LINK, NASHVILLE, TENN.

[Continued from July Number.]

In the early settlements west of the Alleghany Mountains almost as soon as a town was fairly started, a paper was considered necessary. Several were started in Kentucky before the dawn of the nineteenth century, notably at Washington, and Frankfort. The first paper was issued at Louisville in 1801, and had the cumbersome name, *Farmer's Library or Ohio Intelligencer*. Like Louisville's great editor, Prentice, Vail, the founder of this first paper, came from New England. To follow the history of newspapers is not the intent of this paper, but it may be remarked in passing that this can be done in the case of either of the States mentioned far better than in the case of Tennessee. In the territory under consideration there was developed quite early a disposition to attempt something more ambitious and permanent than ordinary newspaper work. So far as discovered, the pioneer of literary monthlies in the Ohio Valley was "The Medley, or Monthly Miscellany," printed by Daniel Bradford, in Lexington, from January to December of 1803. A part of the announcement ran as follows: "It is expected that Literary Characters will accept the opportunity this work will afford them of rendering the result of their lucubrations useful to the public." The "Medley" contained two articles on the character of Thomas Jefferson, by Allen Bowie Magruder, once a lawyer in Kentucky, afterwards United States Senator from Louisiana. This was copied in several European papers.

More than twenty semi-literary periodicals had spent their ephemeral lives in Kentucky previous to 1820. But the second magazine of note published west of the Alleghany Mountains was edited by Mr. William Gibbs Hunt, and was first issued

August, 1819. The periodical was published at Lexington for four years and was entitled, "Western Review and Miscellaneous Magazine, a publication devoted to Literature and Science." This contained much of permanent value and called into activity many who would otherwise have made no attempt at literary effort, and did much to bring out the history of those times. Great space was given to original poetry, but only one piece attained note—"The Boat Horn," by Wm. O. Butler. This was a melodious lyric given to the public as "Boatman's Horn" in "Poetry of the West."

For some time there was a strong rivalry between Lexington and Cincinnati, hence in three months after the first issue of "Aunt's Magazine" at Lexington, Dr. Joseph Buchanan issued at Cincinnati the "Literary Cadet," the forerunner of great things, since Ohio has produced some of the foremost literary folks of the nation. The "Cadet" was soon merged into the "Western Spy." A competitor arose in 1821 called "The Ohio." Writers from Kentucky contributed largely to all these. To follow these would take us too far. Prominent among the literary characters at Cincinnati, was James H. Perkins, author of "Annals of the West," president of the Cincinnati Historical Society from 1844 to 1849. He was the author of a stirring lyric once well known, which begins:

"Oh, were ye ne'er a school boy?
And did you never train,
Nor feel that swelling of the heart
You ne'er can feel again?"

Coates Kinney's "Rain on the Roof" one of the finest productions of the Ohio Valley, was at first rejected by the editor of the *Great West*, as perhaps not being quite up to the Indian tales of the times. It has been often quoted and sung since that rejection. Books were printed from newspaper offices. The first book appeared in Kentucky in 1793, and grew out of a church quarrel as to whether the Psalms of David or the Hymns of Watts should be sung. The following year a reply was printed. About the same time the first law books were printed. The century was hardly well begun until numbers of books had been issued at Lexington, which now had more printing offices than one, and was quite a center of books and

learning. Frankfort came on later. In the first fifteen years of the century perhaps twice fifteen books aiming to be ambitious efforts were put forth. Numerous works of historical interest went along with books of quite a transient nature. One of the most notable histories was "The History of the American Revolution," by David Ramsey, published in 1815.

Humphrey Marshall, and later Lewis Collins, made themselves lasting places by their histories of Kentucky. "History of the Late War in the Western Country," was published by Worsley and Smith, Lexington, Ky., in 1816. The author was Robert B. McAfee. This book is concise and readable to a degree not attained by some later histories.

"Poets and Poetry of the West" was published by William T. Coggeshall in 1860. Coggeshall jointly with Coates Kinney edited for a time *Genius of the West*, a magazine of considerable pretensions started at Cincinnati, and largely supported by Kentucky. During this time the material in large part was gathered for the book, though the author was appointed State Librarian for Ohio in 1856, and continued the collection of material. More than one hundred and fifty western poets are represented by poems and biographic sketches. Coggeshall died United States Minister to Ecuador in 1865.

Of the writers, ninety-seven were men, lawyers, preachers, business men; some men of national reputation in other pursuits. Fifty-seven were women. Most of the matter was evanescent, but George D. Prentice had come into Kentucky to write a campaign life of Clay, and had been induced to remain and start a paper in his behalf. The first number of the *Louisville Journal* was issued in 1830. Prentice found time to be poet as well as fierce political writer. Not only that, but he fostered literature in the columns of the *Journal* as few editors have done in any merely political paper. Some of Prentice's poems, "The Rainbow," by Amelia Welby, "The Stab," by Will Wallace Harney, will not float as driftwood on the tide of time, but are among the immortal snatches of song. In leaving Kentucky one other poem must be mentioned, "Bivouac of the Dead," by Theodore O'Hara, a man Kentucky born. Although he became a Confederate soldier, yet lines from this poem on soldiers who fell in the Mexican

war, became the inscription over the gate of the National Cemetery at Arlington.

What of Tennessee as to books and larger literary effort? In Coggeshall's work of the one hundred and fifty-two entitled to fame, three were born in Tennessee. In Ida Raymond's "Southland Writers," published in 1870, five names are mentioned from Tennessee, viz: Mrs. L. Virginia French, Anne Chambers Ketchum, Mrs. Clara Coles, Adelia C. Graves, and Mrs. Mary E. Pope. It should be mentioned that Southland writers are all women. Miss Manly's recent work on Southern literature has Crockett, Houston, Maury, and Miss Murfree, and Houston is, of course, credited to Texas.

In 1888 Appleton's Cyclopedia of American Biography was published in six large volumes. This contains over fourteen thousand names of those who are supposed worthy of some fame. Henry Cabot Lodge took the trouble to count and classify these according to States. Massachusetts leads with nearly three thousand who have raised themselves above the common level. New York is a close second. Ohio has three hundred and sixty-four. Kentucky follows with three hundred and twenty, while Tennessee can show but one hundred and thirty-six for her roll of fame. However, the Volunteer State is not worst off since Alabama has thirty-four, and Mississippi twenty-six, while Arkansas has only three and Texas one. It must be remembered, however, that it is not on account of literary merit alone, or chiefly that these names got into the work, but distinction in civil, military, or scientific directions is included as well, though one's chances of mention are very greatly enhanced by having written one or more books.

It may be that Tennessee was too far away from the compiler of the Cyclopedia to attract attention. It may be that what has been done was not of sufficient importance to be incorporated. Any way, let us hope that we are to receive new impulses towards intellectual and artistic activity by means of the Centennial Exposition. Let us hope the State dear to us will be stirred with life and power as never before. Then may we both make and write history. Men may think as they please, but only he influences the future who puts his thoughts to record. In 1813 the entire number of newspapers in the

United States was recorded as three hundred and fifty-nine, of which seventeen were published in Kentucky, fourteen in Ohio, and six in Tennessee. Eleven years later, Kentucky had only increased two, but Tennessee had gone to fifteen. East Tennessee, as we have seen, had the first paper, and as in Kentucky, the same presses turned out books as occasion demanded.

One thing is remarkable; East Tennessee had an Abolition paper nine or ten years before the advent of Garrettson's paper. As early as 1814 or 1815 an Abolition Society, perhaps the first in the United States, had been formed in East Tennessee.

In March, 1819, *The Manumission Intelligencer* was issued at Jonesboro. This, as said, was some years before Garrettson's first effort in that direction. This gave place the next year to *The Emancipator*, by Elihu Embry. The first paper was a weekly, the second a monthly. After the death of Embry *The Genius of Universal Emancipation* was published at Greenville by Benjamin Lundy. This lived until 1824. Lundy induced Garrettson to enter the field of editorial effort in behalf of emancipation. Hence Tennessee had, perhaps, the first Abolition Society and the first Abolition paper in the world. While upon the subject of Abolition, this writer happened recently upon a volume of poems by Robert Mack, Esq. The book is not overly strong in its poetry, but has a long introduction upon social and religious subjects, in which slavery is attacked. It was published at Columbia by Felix K. Zollicoffer in 1834. It is hard to ascertain just what papers, magazines, and books were published in East Tennessee during the first quarter of this century. Tennessee, as said, was one of the last States to prepare a history of the Press. Some school books and quite a number of religious works were published at different points—Jonesboro, Greenville, Knoxville and Athens.

Of religious books of some note, Dr. David Nelson's "Cause and Cure of Infidelity" was probably published about 1815 or 1820. Pearson's Analysis belongs to the same class and was published at Athens. Henderson's sermons were published at Knoxville in 1823, though he was then at "Murfreesborough," as the spelling went. Some novels were

among the number of transient publications, notably Woodville, but as said before, Field's Scrapbook lives on. It seems to have been brought out about 1832, to have been revived and republished after the Mexican war. Recently other changes have been made, and the book sent forth from Philadelphia. Fields published this with other books at Knoxville. Among the books published by Fields may be mentioned "The Savage," ostensibly by an Indian Chief, but really by Jack Robinson. Fields thought this a great book. Passing over others, the most noteworthy publications of East Tennessee were the two histories of Judge John Haywood. Without his "Civil and Political History" the early records of the State would be largely a blank. Both his works were published at Knoxville in 1823. *The Christian Advocate*, now little known, is thought by some to have been a more remarkable work than either of the histories. The first book published in Nashville was compiled by the same indefatigable Judge Haywood. It was entitled "Tennessee Justice," and was for the guidance of J. P.'s. This was in 1810, though it is not clear as to whether "Haywood's Revisal of Public Laws" was not a year earlier.

About 1816 "Clark's Miscellany in Prose and Verse" was published, perhaps the first purely literary work produced in the State. But in 1827 on Deaderick Street, a book was published by John S. Simpson, which would even now do credit to Boston. The book "History of Literature from the Earliest Period to the Revival of Letters in the Fifteenth Century," was by Wilkins Tannehil. He published "The Portfolio" about 1848. This was devoted to Masonry and general literature, and bore some semblance to a magazine. Nashville has had many papers devoted to many interests, but little of a purely literary nature has been attempted. The location of the M. E. Church South Publishing House here, the organization of the C. P. Church in this State, and the prominent position assumed by various churches at this point, have given rise to much printed matter, some of which is of great importance to many people, and while it may serve to quicken intellectual life and hence produce literature, yet all have felt the dearth of anything like a spontaneous literary effort.

Our history has been written in snatches, and while much

of great value has been recorded, yet if one would possess the history of Tennessee, he must prepare to purchase a library. Starting with Haywood, we have Ramsey, Putnam, Carr, Guild, Carpenter, Paschal, Draper, Gilmore, Roosevelt, Phelan, Lindsley, and last, but not least, Gen. Thurston's antiquities. Besides, it is necessary to wade through numerous biographies to get all the facts and catch the spirit of the times in which these men moved. It is not meant to come this side of the war at many points in this paper, hence our bright novelists of recent years by whose genius all true Tennesseans feel greatly honored, must be considered at another time, or by other pens. Among those who made effort in those years when less was said of literature may be mentioned: Mrs. L. Virginia French, Mrs. Ketchum, Mrs. Graves, Mrs. Jane T. Cross, Miss Zoda Stith, of Kentucky, and quite a number of others, chiefly women. Quite a number of valuable biographical works have been written by both men and women. As said before, a large part of the history of the State is locked up in these biographies. One thing is greatly to our lasting shame, the principal biographies of our most noteworthy characters have been written by other than natives of Tennessee. We ought to shake off our lethargy even at this late date, and use the abundant material about us.

In literary magazines the chief efforts have been made by the churches, while Nashville and Memphis have had some able partisan political editors of papers there has been no Tennessee Prentice to woo the Muses, and invite others to do so through the columns of the political journals. Many of the editors of papers have been ready to publish literature, if furnished, but few have sought it out, or been in a position to offer any suitable incentive to its production. *The Museum*, a literary magazine was started in Nashville in 1809 but ran only six months. *The Kaleidoscope*, a weekly literary paper was established in 1833 by W. Haswell Hunt, but lasted perhaps not more than a year. In 1844 *The Southwestern Literary Journal and Monthly Review* was published by A. Billings and Co., and edited by E. Z. C. Judson and H. A. Kidd. Less than a year sufficed. *The Southwestern Monthly* by Wales and Roberts was a venture of which any State might be proud, and which ought to have been sustained. This was a sixty-

four page quarto published monthly, and had steel engravings with much valuable matter. The first issue was January, 1852, the last in a year. The South has many things in which to have pride, but not in the self-sacrificing efforts of some of her people to build up a literature. *The Naturalist*, *The Southern Homestead*, and other short lived publications were devoted in part to literature. As before said, some of the churches have made effort to combine literature with religion. It is of some interest to note how many religious papers were started in the thirties. Rev. David Lowry edited the first Cumberland Presbyterian paper published in the United States. This was *The Religious and Literary Intelligencer*, issued at Princeton, Ky., in 1830. The paper was transferred to Nashville in 1832, and was called *The Revivalist*, edited by Revs. James Smith and David Lowry. In 1834 *The Western Methodist* was started by Rev. Lewis Garrett, and Rev. John Newland Maffatt. *The Tennessee Baptist* had its origin in 1835, with Rev. Robert Boyte C. Newell as editor. *The American Presbyterian* with Dr. J. T. Edgar as editor began also in 1835. *The Old Baptist Banner* was edited by the Rev. Washington Lowe in 1838. In 1848 *The Christian Magazine* was founded by J. G. S. Fall, Jesse B. Furgerson, and J. K. Howard. *The Gospel Advocate* was begun by Tolbert Fanning and William Lipscomb, in 1854. All these papers were at first individual enterprises. Some were eventually adopted by the churches which they represented. Some were soon discontinued, others survive after various changes. Efforts have been made all along by the various churches to raise the literary tone of their people by efforts other than the usual denominational organs. The most noteworthy efforts in that direction were *The Home Circle* issued first as *The Southern Ladies' Companion*, and a Methodist enterprise, and *The Ladies' Pearl* managed by Cumberland Presbyterians. *The Southern Ladies' Companion* was issued first as an individual enterprise in 1847 with M. M. Henkle and J. B. McFerrin as editors. The M. E. Church South took charge of the publication in 1855, changed the name to *The Home Circle* and elected Rev. L. D. Huston editor. It was issued until the beginning of the war. *The Ladies' Pearl* with S. P. Chestnut as editor was established in 1852. With various changes and editors, with a

suspension during the war and one or two removals this magazine was continued until 1884, and "did more," says one writer, "to develop the talents of women of the Cumberland Presbyterian Church than all other agencies put together." With Quarterlies and Sunday School publications the church literature makes quite a long list. As said before, the list of Tennessee books is made up largely of church publications. The Cumberland Presbyterian Church having its origin in Tennessee naturally found its historians here, hence Smith and McDonold have written histories of the church, Smith including in his work the general Christian Church. The C. P. University being located in Tennessee with a faculty of earnest, self-denying men has produced a number of books. The location of the M. E. Church South Publishing House in Tennessee has given a long list of books, Historical, Theological, and Biographical. In the beginning of the century some school books locally popular were published in East Tennessee. Such as Blount's Catechetical Exposition of the Constitution of Tennessee, Fowler's Arithmetic, Wilkinson's Biblical and other Knowledge. "Gunn's Family Medicine" comes from Knoxville in 1830. There have been various periodicals in the State from time to time—some very prominent—representing Medicine, Law, Masonry, Science, Mechanics, Agriculture and various interest. When the war broke out there were at least twenty publications in Nashville.

This imperfect sketch must be brought to a close on account of length. None of these and the many other ventures here and elsewhere,—for even Gallatin attempted a magazine—produced any great, pre-eminent writers.

Tennessee, over whose free hills and vales no royal master ever waved his banner; Tennessee, that set the world a new lesson in founding government; Tennessee, whose shield ought to be blazoned with King's Mountain and New Orleans—two decisive battles of the world; Tennessee, the fame of whose orators can never die, and whose men are brave, and whose women are passing fair; Tennessee, with her Sevier, Robertson, Jackson, Overton, Coffee, Grundy, Benton, Crockett, Houston, Polk, Bell, Johnson,—but the roll is too long to call: May the children of Tennessee gather honor untold

and unsullied to lay at the Mother's feet in the century to come.

Thou land of women fair
And men of honor rare—
Old Tennessee:
Each modest flower that blows,
Each mountain stream that flows,
Each blade of corn that grows
Is dear to me.

SIR GEORGE YEÁRDLEY OR YARDLEY, GOVERNOR
AND CAPTAIN-GENERAL OF VIRGINIA, AND
TEMPERANCE, LADY YEARDLEY, AND
SOME OF THEIR DESCENDANTS.

BY THOMAS TEACKLE UPSHUR, NASSAWADOX, NORTHAMPTON
COUNTY, VIRGINIA.

I

Sir George Yeardley was one of the ablest and most popular of Virginia's Colonial Governors. His public acts are matters of history, and as many of them have been published and commented upon in several magazines during the past few years, I shall confine myself in this article to giving a list of as many of his descendants as the limited time at my disposal has allowed me to trace. If simply a matter of mentioning those who have borne Yeardley as a surname my list would be short and easy of compilation, for the name became extinct in his line of descendants, in the fourth generation, and only one son and one grandson lived to have issue, and the surviving children of the latter were three daughters, neither of whom married a Yeardley, and after their marriage the name of Yeardley, except as a baptismal name, disappeared from Virginia so far as I have discovered. It is only recently that the maiden name of Temperance, Lady Yeardley, has again become known in this country. For many years, historians and genealogists have sought it in vain. She came to Virginia in the "Falcon," Capt. Nelson Martin, Master, in 1609 (See Hotten's Original List of Immigrants, February 16, 1632, and also N. E. Hist., and Gen. Reg. Vol. xxx. p. 415), and was Temperance West when she married Sir George. Her parentage is still undecided.

Ralph Yeardley, a brother of Sir George, was granted letters of administration upon the estates of Sir George and Temperance, in behalf of Elizabeth, Argall, and Francis Yardley, "lawful and legitimate children of Dame Temperance Yardley (alias West.)" She survived him but a short time, for, although the Executrix of his estate, she had not apparently had time to qualify as such, and died intestate. (See AMERICAN HISTORICAL MAGAZINE, Vol. I., p. 101, January No., 1896.)

Although the name of Yeardley became extinct upon the marriage of their three great-granddaughters, yet the number of their descendants is legion and to trace them all will require considerable time and labor. Very many alliances have added new names to the list of their descendants, which will doubtless reach thousands, and very many persons in various parts of the United States, to-day, are lineal descendants of this distinguished pair, some of whom are probably ignorant of the fact.

Sir George Yeardley was born between 1577 and 1580. (See Va. Mag. of Hist. and Biog., Vol. II., 154). They were married about 1618 (See Brown's Genesis of the U. S., p. 1065), and he died in Nov. 1627.

There are two depositions and subsequent orders in the Northampton County Virginia Records, indicating that Temperance was not Sir George's first wife, but that she was the mother of his children is shown above.

1. Elizabeth Yeardley¹. The Court Records of Virginia and other authorities examined, mention nothing of her. If she ever married, she probably did not live in America, or some trace of her descendants would have been found.

1. John Yardley—1402—County Stafford, England, married ———— daughter of Marbury of Dadesbury, and had: John Yardley of Kedlingworth Co. Warwick, married ———— daughter of Tickens, and had: Margaret Yardley, who married John Yardley, of Yardley, son of John Yardley, of Yardley, contemporary of Henry VI, and had: John Yardley, of Yardley, who married Elizabeth, daughter of William Birkes, County Stafford, who had: William Yardley, living in 1583, who married Elizabeth, daughter of William and Alice Brereton Morton, of Morton, County Chester, who had: a. William, who married Margery Lawton, and had issue—grandfather of William 1632, and who emigrated to Penn. 1682, and great-grandfather of Samuel, who emigrated to America 1704—Bucks County, Pa. branch of the family. William, last mentioned, married Jane ———— and came from Ransclough, near Leake, in the County of Stafford, England, to Pennsylvania, in "Friend's Adventure" and arrived in

2. Colonel Argall Yeardley, the eldest son and heir of Sir George and Temperance, was born about 1621 and married first about 1640; the name of his first wife is at present unknown. She died in 1648. In 1649, during a visit to Europe,

Delaware River, July 28, 1682.—Pa. Mag. Vol. IX. part 2, July 1885, p. 223. *b.* Ralph, who married Elizabeth Dodd—Druggist in London. See Neil's Va. Co. p. 173; Neil's Va. Carolorum p. 48, 50; Neil's Va. Vetusta p. 111. He was administrator of the estate of his brother, Sir George Yeardley, and that of Lady Temperance (West) Yeardley—mentioned hereafter. *c.* John, who married Mary Dodd. *d.* Randall. *e.* George Yeardley, who in 1618 married Temperance West. He came to Virginia in the "Deliverance," in 1609; See Hotten's Lists. He was a member of Virginia Company, 1609; Member of Her Majesty's Council for Virginia; Deputy Governor of Virginia in 1618, and in the latter part of the year was appointed Governor of Virginia, and subsequently, viz: November 22, 1618 knighted. He left England January 29, 1619, in the "Gift" (N. E. Hist. and Gen. Reg. Vol. XXX., p. 415), reached Jamestown April 19, 1619, and early in June he summoned the first Legislative Assembly that ever assembled in America, to meet at Jamestown on July 30, 1619. (Neil's Va. Vetusta p. 110; Hening I. p. 119, 121, 128; Winsor's N. & C. History U. S. Vol. III., p. 143; Bancroft's History U. S. Rev. Ed., 1888, Vol. I., p. 110.) He built in 1621 the first windmill that was ever erected in America. Bruce, II., p. 487; Neil's Va. Co. p. 283. His commission as Governor expired in 1621, but he continued a member of the Council. He was one of the "Council of State" under "An Ordinance and Constitution of the Treasurer, Council and Company in England, for a Council of State and General Assembly," dated July 24, 1621—otherwise termed the First Constitution." See Amer. His. Mag. Vol. I., No. 2, April, 1896, quoting Stith's History of Virginia. He was appointed Deputy Governor in the absence of Wyatt, September 18, 1625, and on April 19, 1626, was again appointed Governor. He held that office until his death, November, 1627. See Amer. His. Mag., Vol. I., No. 1, p. 21, quoting from Bancroft. His will is dated October 12, 1627. He left a large estate. An abstract of his will is given in N. E. His. and Gen. Register, January, 1884, Vol. 38, p. 69, and also in Amer. His. Mag., Vol. I., p. 98. See Hening I. p. 119, 121, 128 etc.; Va. Mag., Vol. I., p. 85; Amer. His. Mag., Vol. I., p. 1-21, 94; Brown's Genesis of U. S., p. 417, 796, 1065; Winsor's N. and C. His. U. S., Vol. III., p. 141, 143, 146; Va. Mag., Vol. II., p. 57, etc.; (as to First Legislative Assembly in Virginia) Va. Mag., Vol. II., p. 154, etc.; Amer. His. Mag., pp. 1-21, Vol. I., No. 1; (as to instructions from the Lords in Privy Council, etc., etc., to Gov. Yeardley 1618) p. 219; (as to instructions to Gov. Yeardley, 1626) p. 293, and McDonald papers, Vol. I., p. 408, Sec. 8, Va. State Library, etc. etc.; Wm. and Mary Quarterly, Vol. 3, p. 65, Vol. 4, p. 169, etc.; Smith's His. of Va., p. 567, 569, etc.; Bruce Economic His. of Va. (See Index); Neil's Va. Vetusta. (See Index); Neil's Va. Carolorum (See Index); Neil's Va. Co. (See Index); See also the numerous histories of Virginia and of the Va. and London Companies; the numerous Biographical Dictionaries, etc. Temperance West, wife of Sir George Yeardley, came to Virginia in the "Falcon" in 1609; Capt. Nelson Martin, Master, (See Hotten's Original lists of emigrants to America (3-16-1623) 1600-1700; N. E. His. and Gen. Reg. Vol. XXX., p. 415). In January 1625 both Sir George and Temperance were living at Jamestown with their three children, viz: Elizabeth, Francis, and Argall. (See Hotten's Lists.) She released her dower right to a certain 2200-acre tract of land on Nov. 16, 1627, See Hening I., p. 145. She was one of the witnesses of the will of John Rolfe, 1621—Neil's Va. Vetusta, p. 141; N. E. Hist. Gen. Reg., Jan., 1884. She died in Virginia, and letters of administration were granted on her estate to Ralph Yeardley, of London, (brother of Sir George). See P. C. C. Adm., Book 1628-30, Folio 730, quoted in Amer. His. Mag., Vol. I., p. 101. See Harlian Manuscripts in British Museum, Eng. Nos. 1077, 1171, 6128 (British Museum, May, 1881); "Yardley Family," by Thomas Yardley, 257 pp. published 1889, Phila., Pa.; Vol. I., No. 1, "AMERICAN HISTORICAL MAGAZINE," Jan., 1896, Nashville, Tenn.; Brown's Genesis of U. S., p. 1085—except as to paternity of Sir George Yardley; and authorities above quoted.

he married Ann Custis,² a daughter of John and Joane Custis, who were then living in Rotterdam, but were born in England, and not in Ireland as stated by Bishop Meade.³

He left children as follows: *a.* Argall; *b.* Edmund; *c.* Rose; *d.* Henry; *e.* Francis. The names of Henry and Edmund disappear from the records on the Eastern Shore of Virginia after 1657—they were then only boys. No trace of them or any of their descendants has been found, and they probably died without issue. The Colonel was a very prominent man. He was a member of the Council of State Dec. 20, 1643, and was appointed Commander of "Accomac" (Northampton), then comprising the whole of the Eastern Shore of Virginia, June 30, 1642, by Sir William Berkeley. (See Vol. II., p. 84, 88 and 172, Northampton County Records). He died intestate.

3. Captain Francis Yeardley, youngest son of Sir George and Temperance (West) Yeardley, was a brave and dashing officer. He and also Col. Argall Yeardley, his brother, sided with the Royalists during the parliamentary troubles in England and openly expressed their sentiments, thereby getting into difficulties. Once during an argument with Captain Richard Ingle concerning the King and parliament, Ingle being a pronounced Cromwellite, the argument becoming too warm for Ingle's temper, he left the cabin of his ship and going down the hold, returned to the deck with a pole axe and cutlass.

"For whom do you wait?" said Col. Argall Yeardley.
 "For my brother? I arrest you in the name of the King."

"If you had said in the name of the King and Parliament,

2. See Col. Norwood's Voyage to Assateague, in Force's Hist. Tracts, Vol. III. p. 49. After the death of Col. Argall Yardley, his widow married John Wilcox, (See will of John Wilcox, May 25, 1662, Northampton Co. Records; also Deed of Gift of Anna Wilcox, widow, 7 & 8 p. 15, to her two sons Henry and Edmond Yardley. etc.). Col. Argall Yardley died in 1655 (See Brown's Genesis of the U. S., p. 1065, which is corroborated by Northampton County Records). See Griffin Clay Callahan's article in the Richmond Times of January 21st, 1895. which was subsequently republished in a number of newspapers; See Wm. and Mary Quarterly, Vol. III., p. 261; Meade, Vol. I., p. 263; G. W. P. Custis' Reminiscences, etc. ("Custis Genealogy" will shortly be prepared, embodying considerable original historical and genealogical matter heretofore unpublished). See "Agreement between John Custis and Frances (Parke) Custis, his Wife" in Va. Mag., July 1896, page 64.

3. See naturalization papers of Captain William Custis granted by Howard, Lord Effingham, May 13, 1686, Vol. 1676-90 Accomac Co., Records.

I would have obeyed," said Ingle, and ran at Col. Yeardley with the pole axe in his hand and thrust his cutlass at his breast as though he would pierce his body, and ordered all present to leave his ship.

"Wait until he comes on shore," said the Colonel to Captain Francis Yeardley; and they, together with a few of those present, left the ship, which immediately hoisted anchor and sailed for Maryland, carrying about twenty of the colonists away. Ingle there bragged that he

"Had 'steazed' the Commander of Northampton and his brother over the side of his ship."

His glory was short-lived, he was captured, sent an humble letter of apology to Col. and Capt. Yeardley, returned all the colonists he had taken away, and was sent a prisoner to James City for trial before the Governor and Council. His next appearance on the Northampton County Records was as a witness to a legal document in London. (See Vol. II., Northampton County Records, in 1645.)

Captain Francis Yeardley was appointed Captain of Militia during the Indian scare on the Eastern Shore; although scarcely 21 years of age, the Governor and Council, as well as the Court in Northampton and the inhabitants generally held him high in their esteem and placed great confidence upon his bravery and ability. He married Sarah Offley, of London, whose mother was a Miss Harris, a sister of Alexander Harris, of Town Hill, (See Extract from will of Captain Adam Thorowgood, Virginia Carolorum, p. 134). She was first the wife of Capt. Adam Thorowgood and bore him four children: Adam, who became Lt. Colonel; Ann, who married Job Chandler of Maryland; Sarah who also married a Maryland gentleman; and Elizabeth, who married John Michael, Sr., a member of the Board of Commissioners of Northampton County, Virginia. Her first husband died before August 15, 1642, (See Records of Lower Norfolk, Vol. I., D. W. & C., p. 6.) and she soon afterwards married Capt. John Gookin, but he died without issue, so far as is known. About 1645, she married her third husband, Capt Francis Yeardley, who is afterwards mentioned as Col. Francis Yeardley. If he left issue they have not been traced by the writer. Brown's Genesis of the United States, says that it is not believed he left issue.

She died in 1657. (See William and Mary Quarterly Magazine, Vol. IV., No. 3, page 170.)

From the foregoing it appears that of the three children of Sir George and Temperance (West) Yeardley, only Colonel Argall Yeardley left issue to perpetuate the name. Of the five children of Col. Argall Yeardley, above mentioned, Edmund and Henry died apparently without issue, leaving the descendants: Argall Yeardley, who married Sarah Michael;⁴ Rose Yeardley, who married, first, Thomas Ryding, second, Robert Peale; and Frances Yeardley, who married Lt. Col. Adam Thorowgood.⁵

A. Captain Argall Yeardley, the eldest son and heir of Col. Argall Yeardley, married Sarah Michael, the eldest daughter of John Michael, Sr., of the Commission of Northampton, and Elizabeth Thorowgood, his wife.⁴ They were

4. The Michael family came from Graft, Holland, but were supposed to be originally from England. Captain John Michael was the first of the family who came to the Eastern Shore of Virginia. He was prominent colonist and a man of wealth. The Records of Northampton County, Virginia, mention his name a number of times in ways indicating his prominence. He was a Commissioner of Accomac; a Justice of the Peace, etc., 1665, and subsequent dates, (Vol. IX., p. 3, Northampton County Virginia Records). He came to Virginia from Graft, Holland, having been a merchant at that place; see agreement between the "Master of the Farewell and Rowd—from Amsterdam of the one part, and John Johnson and John Makule, both of Graft, of ye other, part, that the vessel now (1652) lying at Accomac shall go to Holland and load, etc.," (Northampton County Virginia Records, Vol. 1651-4, July 3, 1652, p. 95, quoted by Bruce's Virginia, Vol. 1, p. 351; Power of Attorney dated April 12, 1649, Vol. 3, p. 184, Northampton County, Virginia Records). He married Elizabeth Thorogood, daughter of Capt. Adam Thorogood and Sarah Offley, and niece of Sir John Thorogood, of Kensington. (See extract of will of Adam Thorowgood, quoted in Va. Carolorum, p. 134, previously quoted. See deed of exchange dated April 9, 1866, Vol. 1657-66, p. 124 Northampton County Records; Richmond *Critic*, Sept. 21, 1889, quoting land patents 162-163, etc.) Their children were, so far as are known: a. Adam, who married Sarah, (born 1655, died 1720) daughter of Southey Littleton, and left descendants. Sarah subsequently married John Custis, of "Wilsonia." b. Margaret, who married John Custis, of "Wilsonia," and left descendants. (See will dated March 13, 1713, Vol. XIV, p. 57, etc., Northampton Co. Va. Records.) See inscription on his tombstone at "Wilsonia," Northampton Co. Virginia. He was a son of Major General John Custis, of Arlington. c. Sarah, who married Argall Yeardley, son of George Yeardley and Temperance West. d. John Michael, Jr. e. Simon Michael. He subsequently married Mary, the widow of John Culpepper. (Vol. X, p. 107 Northampton County Va. Records) and had: f. Yeardley Michael. (See deed of gift August 27, 1672, D. B. 10, p. 35; deed of gift, August 29, 1678, D. B. 10, p. 167; will dated Jan. 28, 1678-9, W. B. 10, p. 336). See note No. 5.

5. John Thorogood, of Chelston Temple, Com. Hertford, who married and had: Nicholas Thorogood and John Thorogood, the latter married, and had: John Thorogood, of Felsted in Co. Essex, who married — Luckin, and had: William Thorogood of Gumstone in Norfolk, official with diocese of Norwich, etc., who married Ann Edwards, of Norwich, and had: a. Sir Edward Thorogood. b. Sir John Thorogood, Kt., one of the pensioners to his Majesty. - (See note Va. Carolorum, p. 134.) Married

married in 1678 about the 23d of January (Vol. X., D. W. & C., p. 23, Northampton Co. Records). They left no son to reach manhood. (See deed of partition Vol. XII., p. 201, Northampton Co. Records). He was High Sheriff of Northampton at the time of his death, which occurred in 1682. He, like his father, left no will on record on the Eastern Shore of Virginia. After the death of her first husband, Sarah (Michael) Yeardley married John Watts, and had a son John Watts, and subsequently married Thomas Maddox, (See will of Sarah Maddox, March 20, 1694, Book XIII., p. 419, etc., Northampton County Records.)

Argall Yeardley and Sarah Michael's children were:

- a. Argall, who apparently died young.
- b. John, who also apparently died young.
- c. Elizabeth Yeardley married George Harmanson—See Part II.
- d. Sarah Yeardley married John Powell—See Part III.
- e. Frances Yeardley married John West—See Part IV.

Frances Meantes (Brown's Genesis, etc., 948). c. Thomas Thorogood. d. Edmund Thorogood. e. William Thorogood. f. Capt. Adam Thorogood, who married Sarah Offley: (See Va. His. and Biog. Mag., Vol. II, p. 415, etc., p. 422, etc.; Va. Carolorum, p. 134.) He was born 1603 and came to Virginia in 1621 in the "Charles," in his eighteenth year, (Va. Carolorum p. 74), was patentee of large body of lands, (Bruce, Vol. II, p. 252). He represented Elizabeth City in the Assembly: 1629, 1631, 1632, etc. (Hening I., p. 149, 170, 179, 187, etc.; Va. Carolorum p. 71.); was a member of the Monthly Court of Elizabeth City, 1632, (Va. Carolorum p. 90.), and a member of the Virginia Council, 1637, and President of the Court of Lower Norfolk. (Wm. & Mary Quarterly, Vol. III., p. 65, etc.; Va. Carolorum, s. 133, etc). He was one of the principal figures in History of Virginia in 17th Century. (Bruce's Va., Vol. II., p. 576), and left a large estate in lands and cattle—among the cattle being 107 goats. (Bruce Economic Hist. of Va., Vol. II., p. 299; Norfolk Co. Records 1642-3, p. 38). His will is dated February 17, 1639-40, and probated April 27, 1640. Among other items is this: "My will and desire is that my beloved friend Captain Thomas Willoughbie and Mr. Henry Seawell here in Virginia, and my dearly beloved brother, Sir John Thorogood, of Kensington, near London, and Mr. Alexander Harris, my wife's uncle living on Town Hill, shall be overseers of this, my last will and testament." (Neil's Va. Carolorum, p. 134). He named Norfolk Va., after Norfolk in England: (Forrest's Hist. of Norfolk, Va., p. 44, 45). His children were: a. Capt. Adam Thorogood (afterwards Lieutenant Colonel) who married about 1648, Frances Yeardley: (See index Norfolk County Records; Va. Mag.; Vol. I., p. 85, 86; index to Bruce Economic History of Va.; Va. Carolorum p. 318). b. Ann, married Job Chandler, Maryland Councillor. (As to Thorogood and Chandler, see Va. Mag., Vol. III., p. 91 and p. 321). c. Sarah, (See note Va. Carolorum, p. 134). d. Elizabeth Thorogood, who married Captain John Michael from Graft, Holland, and had issue.

(Visitations of Essex, published by Harlian Society, p. 607.)

(Ryley's Visitation of Middlesex.)

(Harlian Mss. 1083, 29 b. 1094-1096-1184-1234-1468-1474-1476-1504-1546-1547-1553-6147 additional Mss. No. 5533 in British Museum.)

ARMS: Sable on a chief argent three buckles lozengy of the first.

CREST: A wolf's head argent, collared sable.

The Arms and Crest were confirmed to William, son of John, March 24th, 1620.

(See note No. 4).

See deed of partition, Vol. XII., p. 201, Northampton Co. Records.

See Vol. XII., p. 284, Northampton Co. Rec.

B. Rose Yeardley, eldest daughter of Col. Argall Yeardley, married, first, Thomas Ryding, January 4, 1662. See Marriage Register Vol. 1657-'66, p. 68, Northampton Co. Records. She, therefore, must have been a child of his first wife, as we may suppose she was more than 12 or 13 years old when she married. How long Thomas Ryding lived, or whether he left issue, I am uninformed. He lived near Nassawadox, in Northampton Co., Va., and probably died there; and as no mention of any of her children either by him or by Robert Peale, her second husband, have been seen by your Correspondent, upon the Eastern Shore Records, we will, for the present, have to leave the matter in doubt. She had been sometime the wife of Peale on September 30th, 1684. (See Vol. II., D. W. & C., p. 106, 207, Northampton Co. Va., Records.)

C. Frances Yeardley, youngest daughter of Col. Argall Yeardley, married Lt. Col. Adam Thorogood, eldest son and heir of Capt. Adam and Sarah (Offley) Thorogood, previously mentioned. (See Note 4.) They lived at Lynnhaven Bay in Norfolk Co., Virginia, where he became prominent, was Burgess for the County in 1666, and Justice in 1669. He died in 1685. (See his will, Vol. IV., p. 217, Lower Norfolk Co. Records.) They had issue:

Adam (afterward Col. Adam), who married Mary Mosely, and died in 1719, s. p.

Robert, who married Blandina ———, and left a son Robert.

William (afterwards Capt. William), married Patience ———, and died in 1723, leaving Argall, Mary, and Adam.

Francis, who married Amy ———, and died Feb. 14, 1740.

See Va. Mag. of Hist. & Biog., April No., 1895, p. 416.

ELIZABETH YEARDLEY, eldest surviving child of Capt. Argall and Sarah (Michael) Yeardley, above mentioned, married George Harmanson. They lived at the home place called "Yeardley." He died in 1734. (See his will, Vol. XVIII., p. 123, Northampton Co., Va., Records.) Their children were:

1. Argall Harmanson, who married Barbara ———, and left two sons, Benjamin and George, who are mentioned in their grandfather's will, and possibly other children.

2. Margaret Harmanson, who married Arthur Robins.
3. Alicia, who married Hillary Stringer.
4. Isabel, who married ——— Harmanson.
5. Bridgett, who married Littleton Eyre.
6. Rose.
7. Henrietta.

See II.

SARAH YEARDLEY, second daughter of Capt. Argall and Sarah (Michael) Yeardley, above mentioned, married John Powell,⁶ and had issue:

1. Sarah, who married John Haggoman.
2. Yeardley.
3. Margaret, who married Clark Jacob.
4. Mary.
5. Rose, who married Dr. Michael Christian, first, and after his death William Digby Seymour.

See III.

FRANCES YEARDLEY, youngest daughter of Capt. Argall and Sarah (Michael) Yeardley, married John West, Jr., who afterwards became Major John West. After her death he married Josepha Maria ———, and died in 1718, about one year after his second marriage. Their children were:

1. Argall Yeardley, who married——.
2. John, who married ——.
3. Charles, who married ——.
4. Thorogood.
5. Ann, who married Nathaniel Holland.

6. Thomas Powell, born prior to 1579, (See deposition May 25, 1659, Book 8, p. 17, Northampton County Va. Records, in which he stated that his age is "four score and odd). He came to Virginia in the "Sampson" 1618, and was on Eastern Shore of Virginia, 1624, Hotten, p. 263). (See Vol. I., p. 115, Northampton Co. Va. Records). He was alive in 1662. (See deed of gift to Johnson & Hope, book 1657-66, p. 96, Northampton Co. Va. Records). He married Elizabeth ——, (See book 1, p. 150, Northampton County Va. Records), and had issue: John Powell, who married —— and had issue: John Powell, who married Frances Wilkins, daughter of Nathaniel Wilkins, (See deed of gift, Nathaniel Wilkins to his daughter Frances Powell, February 7, 1698, 9, Vol. XII., p. 214, 1692-1707, Northampton Co. Va. Records, in which he mentions his grandsons, Nathaniel Powell and John Powell), and had issue: a. Nathaniel Powell married Sarah ——, (See will, W. B. 17, p. 326, recorded October 10, 1732, which mentions children, John, George, Nicholas, Joseph, Ann and Jonathan), and (b) John Powell, who married Sarah Yeardley, daughter of Argall and Sarah (Michael) Yeardley. See deed of partition January 28, 1701, Northampton Co. Va. Records, (Vol. XII., p. 295.) He was Sheriff and Justice of Peace of Northampton County Va. 1702, and at later dates, (See Order Book 14, p. 534, May 30, 1710, Records Northampton County, Va.; etc., Va. Mag., Vol. II., p. 10), and had issue. See will of John Powell, dated June 1, 1718, book 14, p. 144, Northampton Co. Va. Records. See division of estate of John Powell and Sarah Will Powell, Book 17, p. 3, etc., p. 10, etc., Northampton County, Va. Records.

6. Jemima, who married ———.
7. Matilda, who married ———.
8. Sarah, who married Isaac Smith.
9. Joseph.

All were children of Frances, except possibly Joseph. (See will of Major John West, Vol. XVI., p. 31, Northampton County Records, February 6th, 1718.)

See IV.

We have now followed out the Yeardley name in Virginia as a family name until it became extinct. The following will give the lines of descent of such of the descendants of Sir George and Lady Yeardley, as have been either traced by me or placed at my service. That this list will be very far from complete may be easily imagined.

ELIZABETH YARDLEY AND SOME OF HER DESCENDANTS.

II.

Elizabeth Yardley married Col. George Harmanson. The Harmanson family is a very old and highly respected one on the Eastern Shore. Its members have allied with the best families always, and the traditional "black sheep" has appeared conspicuous by its absence. The family of Dr. Charles Harmanson, of Onancock, Va., are the sole representatives of the name here now so far as I know. Thomas Harmanson, the first of the name on the Eastern Shore of Virginia, was a German, born in the Dominion of Brandenburg, and of the Protestant religion. His naturalization papers were signed by Howard, Lord Effingham, 8th of June, 1680, and recorded 24th October, 1684, (Vol. 1680 to 1692, No. 11, Northampton Co. Records.) His first wife is believed to have been an Elkington, a sister of Ann Elkington, who was the first wife of Capt. John Savage. His widow, Elizabeth, was "the heir and executrix of John Daniel." He died in 1690. (Vol. II. D. W. & C. p. 278, Northampton Co. Records).

Col. George Harmanson was a lineal descendant of old Thomas. By his marriage to Elizabeth Yardley he acquired considerable property, in addition to his own, and purchased

other land. He survived his wife and in his will mentions his son Argall and Argall's wife Barbara, and grandsons, Benjamin and George Harmanson, sons of Argall and Barbara. He also mentions his daughters, Margaret, the wife of Arthur Robins; Bridget, the wife of Littleton Eyre; Isabel, who married a Harmanson; Leshe (Alicia) wife of Hillary Stringer; Rose and Henrietta, and his granddaughter Sarah Harmanson, who was a daughter of Isabel, and grandson, Kendall Harmanson, (who subsequently appears to have been a son of Isabel, although it is not so stated in his will.) They had:

- I. Argall Harmanson, who married Barbara and had issue hereafter mentioned.
- II. Margaret Harmanson, who married Arthur Robins.
- III. Bridget Harmanson, who married Littleton Eyre.
- IV. Isabel Harmanson, who married — Harmanson and had:
 - a. Kendall Harmanson, who married Anna — and had (See his will, Vol. 21 D. W. & C. p. 86, Northampton County Records), (1) John, (2) Isabel and (3) Elizabeth.
- V. Alicia Harmanson, who married Hillary Stringer.
- VI. Rose Harmanson.
- VII. Henrietta Harmanson.

Argall Harmanson and Barbara, his wife, above mentioned, had:

1. Benjamin Harmanson, who married Elizabeth —, and had:
 - a. Katherine, who married — Justice.
 - b. Elishe, who married — Kendall.
 - c. Elizabeth, who married — Kendall.
 - d. Esther, who married — Respress, and died before her mother.
 - e. John Kendall.

He left a grandson, John Harmanson. Benjamin died before his wife. See will of Elizabeth Harmanson, Vol. 21, D. W. & C., p. 292, 3rd August 1757, Northampton Co. Records.

2. George Harmanson, who married Hanna — and had: (See his will, Vol. 22, p. 398, Dec. 15, 1761, Northampton Co. Records.)

- a. Elizabeth.
- b. Mary.
- c. Susanna (was born in 1755) married Dr. John Winder, of Somerset County, Maryland, (17th July, 1783) and left a numerous

posterity as appears hereafter. He died 19th June, 1799. She was his second wife—his first wife having been Bettie Jones, of Somerset County, Maryland, by whom he had two children—William, who died s.p., and Dr. Thomas Winder, who married Miss Harriet Handy, of Maryland, and removed to Natchez, Miss., and were the ancestors of numerous descendants in the far South.

d. John Harmanson.

Barbara Harmanson survived her husband Argall.

Susanna Harmanson and Dr. John Winder above mentioned had:

1. John Harmanson Winder, born June 2, 1784. He married first: Comfort Quinton Gore, of Maryland, who bore him (1) Laurretta Anne, who married Thomas Littleton Savage and died s.p. 2. Charlotte Louisa, who married Wm. P. Nottingham and had one child, Comfort Quinton Gore Nottingham, a woman of great culture, who married Robinson Nottingham, of Northampton County, Virginia, and has no children, and (3) Susan Comfort Winder, who married June 3, 1835, Dr. Robert Major Garrett, Mayor of the city of Williamsburg, and Superintendent of the Virginia Eastern Hospital, and had children as hereafter mentioned. John Harmanson Winder subsequently married Sarah Snead, and had Rose C. Winder, who became the second wife of Judge George Seth Guion, of Louisiana, and died s.p., and Lieutenant John Edward Winder of the Confederate Army, and who is yet unmarried.

2. Mary Harmanson Winder, born October 21, 1785, died March, 1862, s.p.

3. Dr. George Harmanson Winder, born February 9, 1789, died December 18, 1823, married Mrs. Haller *nee* Hudgins, and had issue hereafter mentioned.

4. Nathaniel James Winder, born December 6, 1794, and died August 2, 1844. He was a Barrister and for many years Clerk of both Superior and Inferior Courts of Northampton County, Va. He married Sarah Upshur Bayley (daughter of Richard D. Bayley and Sarah Upshur, his wife) on October 8, 1826, and had issue hereafter mentioned.

Susan Comfort Winder and Dr. Robert Major Garrett, above mentioned, had:

1. Robert Major Garrett, Jr., who died in infancy.

2. William Robertson Garrett, who was a Captain in the Confederate States Army, formerly Superintendent of Public Instruction for Tennessee, President of the National Educational Association, and now Professor of American History in the Peabody Normal College at Nashville, Tennessee, and editor of the AMERICAN HISTORICAL MAGAZINE. He married Miss Julia Flournoy Batte, of Pulaski, Tenn., and had:

Robert Major, deceased; William Batte; Edward Feild, deceased; Van Winder; Susan Mildred, deceased; Julia Flournoy; John Flournoy; and Lauretta Yardley.

3. Comfort Anna Garrett, deceased.

4. Susan Winder Garrett, deceased.

5. Henry Winder Garrett, a lawyer, died s.p.

6. Dr. Van Franklin Garrett, Professor of Chemistry at William and Mary College, Williamsburg, Virginia, who married April 29th, 1896, Miss Harriet Nicholls, daughter of the Hon. Francis Tillou Nicholls, of New Orleans, La.

7. Charlotte Gore Garrett.

8. Mary Winder Garrett.

9. Susan Comfort Garrett.

Dr. George Harmanson Winder and Mrs. Haller, *nee* Hudgins, had:

1. John Holden Winder, who married Margaret Harwood, of King and Queen County, Va., and had issue:

a. Sarah Winder.

b. Mary Winder.

c. Anna Winder.

d. George Winder, whose descendants, if any, are unknown.

e. Julia Winder, who married ——— Swift, for her first husband and had issue, Winder, Carter, Sarah, Mary, Alma and George. Winder, Mary, Alma and George are all dead, and Sarah is unmarried. After the death of Mr. Swift, his widow married James Wingfold, but left no issue by him.

2. Levin Yeardley Winder, (an officer in Confederate States Army) who married Anna Decormis, (now dead) and had:

a. Anna Glanville, who married Joseph Barrett and had Annie, Eugenia, Nellie and Ruth.

b. Mary Sue, who married Arthur Segar and had Arthur, Charlotte, Missouri, Campbell and Winder.

- c.* Laura Penelope, married C. N. Campbell and had Mary, (died s.p.,) Laura and Charles.
- d.* Levin Yeardley died 1878, unmarried.
- e.* Cornelia Hampton, unmarried
- f.* Frank, unmarried.
- g.* Kate, {
- h.* Henry, { died in infancy.
- i.* Rosalie Hildegrave (now dead) married George Lindsay, and had Georgia, Robert Winder dead, Cornelia, Ellen and Rosalie.

Of the above, Anna Glanville and Mary Sue; and Kate and Henry were twins.

3. Penelope Winder, married Richard Roper Garrett, a brother of Dr. Robert Major Garrett, and had, George Richard Garrett, who married Mary Chisman, of Hampton, Va., and had Penelope and Eliza.

4. Laura Winder, who was the second wife of Richard Roper Garrett, and had:

- a.* Penelope.
- b.* Mary Louisa, who married Moses T. Hughes and had one child, Richard, who married Mary Atkinson and died leaving two children, viz: Richard Marshall and Mary Lou.
- c.* Florence, who married Dr. Mallory Shield, of Little England, Va., and had Mary Shield, born 1873, Florence Mallory Shield, born 1875.
- d.* Laura, who married George S. Booker, of Hampton, Va., and had, George Selwyn Booker, born 1876, Mary Louise Booker, born 1879, Anna Booker, born 1882, Florence Shield Booker, born 1889.
- e.* Alexander, who married Laura Slaughter.

5. Mary Susan Winder, married — Decormis, of Virginia, and had issue, Mary Winder Decormis. who married Thomas Hughes and had Mary Susan who married Samuel Dowdy, Annie Winder Hughes (dead), Nannie Hughes married — Burros, Sarah Hughes and Jane Hughes.

Nathaniel James Winder and Sarah Upshur Bayley, above mentioned, had:

1. Dr. Richard Bayley Winder, D.D.S., of Baltimore, Md., who was Major in the Confederate army and afterwards Dean of the College of Dental Surgery of Baltimore, Md., and one of the founders of that Institution. He married three times: (the first two wives being sisters)

First, Elizabeth Custis, and had no issue.

Second, Sarah Custis, and had two children:

- a.* Richard Bayley Winder, married Catherine Street, of Maryland, and has one son, Richard Bayley Winder.
- b.* Mary Custis Winder, married H. A. Miller, of Baltimore, Md., and has one son, Henry A. Miller.

Third, Kate Dorsey, of Maryland, and had no issue.

2. Sarah Caroline Winder, married Dr. George Ker, of Eastville, Va., recently deceased, and had:

- a.* Ella Kerr, unmarried.
- b.* George Kerr, recently killed in a railroad accident.

3. Mary Catherine Winder married Major Charles Howard, of Baltimore, Md., who became a Major in the Confederate Army on General Elzer's staff and had:

- a.* Charles Howard.
- b.* Elizabeth Key Howard, who married Mr. James Tyson, of Baltimore, Md., and has a daughter, Evelyn.
- c.* Ruth Howard, unmarried.
- d.* Nannie Howard, who married Captain Orris A. Browne, of Northampton County, Va., who was an officer in Confederate States Navy and on board of the Confederate States Steamer Shenandoah. They have one daughter, born Aug. 13th, 1896.
- e.* Rose Howard, unmarried.

The mother of Major Charles Howard was a daughter of Francis Key, who wrote "The Star Spangled Banner."

For the above descendants of Elizabeth Yardley and Col. George Harmanson see the Winder pedigree owned by Miss Mary Winder Garrett, of Williamsburg, Va.

SARAH YEARDLEY AND SOME OF HER DESCENDANTS.

III.

Sarah Yeardley, second daughter of Captain Argall and Sarah (Michael) Yeardley, married John Powell, who was the son of John Powell and Frances Wilkins, his wife,⁷ and had issue:

7. See deed of gift, Nathaniel Wilkins to his daughter Frances Powell, Vol. XII., p. 214, Northampton Co. Records; deed of partition, Vol. XII., p. 294. He was Sheriff and Justice of the Peace in 1702, and at later dates.

1. Sarah Powell, who married John Haggoman, (See Order Book 17, p. 88, Northampton County Records.)
2. Yeardley Powell.
3. Margaret Powell, who married Clark Jacob.
4. Mary Powell.
5. Rose Powell, who married Dr. Michael Christian, December 7, 1722. See Marriage Bond, December 3, 1722, on file, Northampton County Records. After Dr. Christian's death, she married William Digby Seymour. See Marriage Bond, February 10, 1736, on file in Clerk's Office at Eastville, Va. She left issue by both husbands.⁸

Rose Powell, and Michael Christian, last mentioned, had;

- a. Michael, who married Patience Michael, December 30, 1747. See Marriage Bond on file at Eastville, Va. They left descendants.
- b. William, who married Kesiah Blair (widow) June 7, 1750. They left descendants as below.
- c. Sarah, who married.
- d. Elizabeth who married Robert James, December 15, 1753. They left descendants.
- e. Susannah Christian, who married about Sept. 8, 1755, Luke Luker.⁹ See Marriage Bond and Consent, dated Sept. 8, 1755; see will of Luke Luker, December 17, 1773, W. B. 1772-77, p. 188, Accomac County Records.

On the death of her husband she married James Coxe, of the town of Shelbourne, Nova Scotia—See deed July 24, 1784, to Edward Kerr, of Accomac Co., Va., Book 1783-88, p. 145, Accomac County Records. And on death of Susannah, which was prior to July 24, 1784, he (Coxe) married Elizabeth Bayley, daughter of Charles Bayley, of Pungoteague, Va. See last mentioned deed. The division of the estate of Luke Luker, Sept. 25, 1781, mentions widow of Luke Luker, as Susan Coxe. See W. B. 1780-84, p. 188, Accomac County Records. She left numerous descendants by her first husband, but only

8. See division of John and Sarah Powell estate, Will Book XVII., p. 3, 10, Northampton County, Va., Records; will of Michael Christian, dated December 20, 1735, W. B. XVIII., p. 137; appraisement estate of same, W. B. XVIII., p. 155; division of estate of same, July 2, 1745, W. B. XIX., p. 204, Northampton C., Va., Records.

9. Luke Luker lived in "St George's Parish," in the lower end of Accomac County, Va. He was a Vestryman of that Parish, February 23, 1763, to the day of his death, about October 24, 1774. On the latter day the following entry was made on Vestry Book of the Parish: "At a Vestry held at the house of William Grotten for St. George's Parish, October 24, 1774 * * * This day the Vestry elected Thomas Bayley as a Vestryman in the room of Luke Luker, deceased." (See Vestry Book, p. 1-22, on file at Accomac C. H., Va.) This Church has irreverently been termed "Ace of Clubs" Church, on account of the peculiarity of its original construction—the interior being (prior to its partial destruction by the Federal troops during 1861-65, who used it as a stable) in the shape of an "Ace of Clubs." He was a Tobacco Inspector at Addison Landing, in Accomac, and Nassawaddox, in Northampton. See bond on file at Eastville, dated April 12, 1757.

one daughter by her second husband, viz: Catherine, who married first, —— Moore, and second, —— Fennell, who left one daughter, Susan, who married Levin Coxé, the latter died without issue.

William Christian, married Keziah Blair (widow) and had issue: *a.* Catherine: *b.* Edward, drowned in Chesapeake Bay; *c.* Captain William.

a. Catherine—Married Rev. Richard Ames and had:

1. George Christian Ames, who married Hester W. Milby.
2. John Ashbury Ames, who married Adelaide Hack.

c. Captain William married Catherine Ker and had:

1. Col. William Armistead, who married Elizabeth Seymour.

George Christian Ames and Hester, his wife, had three sons and one daughter:

a. Rev. Alfred Augustus H. Ames married Ann Upshur Bayley Seymour—see Seymour line—and had:

1. Ann Seymour Ames, unmarried.
2. George Christian Ames.

b. George E. W. Ames died unmarried.

c. John C. Ames died unmarried.

d. Lizzie M. Ames married Rev. C. H. Hall, D.D., of Brooklyn N. Y. and had issue.

John Ashbury Ames married Adelaide Hack and had a daughter, Charlotte, who married Thomas H. Perrie, of Prince George Co., Va., and had several children.

Capt. William Christian and Catherine (Ker) had: Col. William Armistead Christian, who married Elizabeth Seymour and had three children.

1. George.
2. Lizzie.
3. William Seymour.

George Christian married Elizabeth Henderson and left one son William Seymour Christian, Jr., who married Sarah Core and left five children:

Rupert (dead), George Seymour, (dead), Gertrude, who married Mr. Core, Florence, who married Mr. Hutchinson, and Orion (dead).

Lizzie Christian died young and unmarried.

William Seymour Christian Sr., married Susan Wilkins, and had a daughter Lizzie, who died in childhood.

NOTE.—The parents of Elizabeth Seymour, wife of Col. William A. Christian, are unknown to the writer, but she was a descendant of Wm. Digby Seymour and Rose (Powell) his wife.

Susannah Christian and Luke Luker (last mentioned) had:

1. Elizabeth, who married Thomas Custis, and had but one daughter, Susan, who married John Evans, and died without children. See her will Jan. 26, 1820, Book Cir. Ct. Records, Accomac Co., p. 301. *
2. Rose, who married Dr. John C. Martin, of Snow Hill, Maryland, and left issue.
3. Anne, died unmarried.
4. Sarah, who married Tully Wise and left issue.
5. Susan Luker, who married Rev. Griffin Callahan, and left issue:

Rose Luker and Dr. John C. Martin, above mentioned, left among their children a daughter, Susan C., who married James Upshur, of Northampton Co., Va., being his second wife. She was born March 6th, 1785, and died May 13th, 1823. She bore her husband five children, viz:

a. Rosina Martin Upshur, born April 6th, 1811, who married Wm. W. Johnston, a merchant of Princess Anne, Maryland, and left issue:

1. Ellen, who married Dr. George R. Dennis, who was afterwards a United States Senator from Maryland, and had: *a.* William, who married ———, and left issue; *b.* Rose, who married Mr. Ake, of Philadelphia, Pa.; *c.* George, unmarried; *d.* James, unmarried; *e.* Ellen, who married Mr. Jones, of Somerset Co., Maryland.
2. Emily, unmarried.
3. Sarah, died s. p.
4. Upshur, died s. p.
5. Dr. Samuel, who is now a celebrated physician in Baltimore, Md., a specialist on lung and throat diseases, who married Miss Banny Stewart, of Baltimore, and has no descendants.
6. Maggie, died s. p.
7. Hobart, died s. p.

b. Ann Emerson Upshur, died s. p.

c. Elizabeth Mary Upshur, died s. p.

d. Dr. George Martin Upshur, born October, 10th, 1817, died June 27th, 1877. He married first, Priscilla Townsend, of Maryland, and second, Sophie——.

*He had by his first wife:

1. James Upshur, died s. p.
2. George Martin Upshur, a lawyer, of Baltimore, Md., late of Snow Hill, who was a few years ago Speaker of the Maryland

House of Delegates. He married Miss Emma Franklin, of Maryland, and had a daughter, Priscilla, and other children.

3. Levin Upshur, who married ————— and left issue:
4. Rosina Upshur, who married ————— Pope, and lives in Baltimore, Md. She has children.
5. John Upshur, died unmarried.
6. Susan Upshur, who also married.

He had by his second wife:

7. Francis Upshur, who married —————.
8. William Upshur, who died s. p.
- e. Wilmer Martin Upshur, died s. p.

Sarah Luker and Tully Wise, above mentioned, had issue:

a. Susan Wise, who married W. O. Parker, and had issue:

1. John W. H. Parker, who married Sarah A. Topping, of Onancock, Virginia, and had:
 - a. Susan Parker, who married D. D. Fletcher.
 - b. Phoebe Parker, who married Robt. P. Custis, and had issue.
 - c. Tully Parker, who married Agnes Parker, and had issue.
2. Tully Parker, who married first, Margaret Evans, and had:
 - a. Susan Parker, who married Edward H. Custis, and have issue.
 - b. Margaret Parker, who married Thomas H. B. Corbin, and have issue.

And married second, Susan Neely, and had:

 - c. Charles Parker, of San Francisco, Cal.
 - d. Mary Parker, who married Augustus Dodge.

b. Tabitha Wise, and Edmund R. Custis had issue:

1. Mary Wise; 2. Sarah Wise, both of whom married Dr. W. S. Horsey, and left no issue.

c. Martha Wise, who married Henry T. Riley, had no issue.

d. Tully R. Wise, who married Margaret Douglas Pettit Wise (a sister of the late Ex-Gov. Henry A. Wise, of Virginia) and left issue;

1. Peyton Wise, who married Laura Mason Chilton, of Richmond, Virginia, and have issue.
2. Sarah Elizabeth Wise died unmarried.
3. Tully R. Wise.
4. John Henry Wise, of San Francisco, Cal., married Sarah Ann Merker, and have issue.
5. James Madison Wise, who married Ann Dent Dunlap, and have issue.

6. George Douglass Wise, ex-member of Congress, from 3rd Congressional District of Virginia, not married.
7. Franklin Morgan Wise, married Ellen Tompkins, and has issue.
8. Lewis Warrington Wise, of Durham, N. C.
- e.* Sarah Wise, who married Dr. Thomas P. Bagwell, and had issue:
 1. Anna Bagwell, who married Dr. Dennis Claude Handy, Annapolis, Md., and had:
 - a.* Anna Handy; *b.* Elizabeth Handy; *c.* Claude Handy.
 2. George H. Bagwell, who married Rose Dix Twyford, and had:
 - a.* Adele Bagwell, *b.* Werner Bagwell, *c.* Thomas Bagwell, *d.* Hattie Bagwell, *e.* Eddie Bagwell, *f.* Faith Bagwell, *g.* George McDonald Bagwell, and *h.* Katherine Bagwell.
 3. Edmond R. Bagwell, who married Margaret Douglas Bagwell, and had:
 - a.* Catherine, who married Thomas B. Quinby, and have: Edmund, Upshur, and Richardson.
 - b.* Margaret, who married Edward R. Leatherbury, and has a son, Douglas.
 - c.* Lily, who married Mr. Capehart, from North Carolina, and have: Ashburne, Douglas, and Margaret P.
 4. Sarah Bagwell, married Thomas R. Joynes, and have:
 - a.* Alice, and *b.* Marnie, who married Mr. Griffith, and has: Ruth, Helen, and Virginia.
 5. Thomas H. Bagwell never married.
 6. Elizabeth Bagwell, married Edward Leatherbury, and have:
 - a.* Sarah, *b.* Thomas, and *c.* Eva.
 - f.* Elizabeth Wise never married.
 - g.* John R. Wise, who married Eliza Coward, and had:
 1. Sarah Wise, who married George Powell.
 2. Catherine Wise, who married Hugh Powell.

Susan Luker and Rev. Griffin Callahan,¹⁰ mentioned above, had:

10. Rev. Griffin Callahan was born 1759, and was a minister of the Methodist Episcopal Church, being admitted into the Travelling Connection of that Church at the Baltimore Conference, September 10, 1788. (Minutes of Conference, at Methodist Historical Rooms, Tenth and Arch Streets, Philadelphia, Pa.) He preached in Frederick, Maryland Circuit, 1788, and afterwards on the Eastern Shore of Maryland and Virginia. He lived for a considerable time at a place called "Mockhorn" a short distance above Drummondtown; subsequently on Folly Creek and afterwards at Locust Mount, Accomac Co., Virginia. He was a popular minister. His record of marriages of record at Accomac C. H. is unusually large. (See Marriage Record Book, 1800 etc., Accomac C. H., Va.) He died August 22nd, 1833, age 74 years. He was buried in the churchyard of old "Burton's Meeting House," near Locust Mount, Accomac County, Va.

- a. Elizabeth Luker Callahan, who, January 23d, 1842, married Dr. Gustavus Henry Kreegar, of Germany, at St. Paul's M. E. Church, Catherine Street above Sixth, Philadelphia, by Rev. Thomas J. Thompson. See original of marriage record at St. Paul's M. E. Church, Catherine above Sixth Street, Philadelphia, Pa. He died April 9, 1872. She died April 16, 1888, without issue. Both were buried in the churchyard of St. Paul's Church.
- b. Griffin Wesley Callahan, who, December 28th, 1828, married Leah Ashby, daughter of Thomas and Margaret (Beach) Ashby, and granddaughter of Thomas and Susan (Heath) Ashby, and of Kendal and Rosina (Nock) Beach, of Accomac County, Virginia, by Rev. Joseph Burton, at Locust Mount, Accomac County, Va. (See Record of Marriages at Accomac C. H.—not paged or indexed). They left issue, hereafter mentioned. He died March 1st, 1841, and was buried at the Ashby homestead at Locust Mount, Accomac Co., Va., in the private burial ground of the Ashby family. She died February 26th, 1895, and was buried at Craddockville, M. E. Church, in the lower end of Accomac County, Virginia.
- c. Susan Christian Callahan, who married, July 29th, 1839, George Osborne Sneath, of Philadelphia, at Ebenezer M. E. Church, Christian Street above Third, Philadelphia, Pa., by Rev. Levi Scott. Original record at Church, Third and Christian Streets, Philadelphia, Pa. He died June 2nd, 1842. She died November 3rd, 1892, and left no issue. Both were buried in St. Paul's M. E. Church yard, Philadelphia, Pa.
- d. Sarah Callahan, who married William Farson, of Philadelphia, Pa. She died young and without issue. She was buried in Ebenezer M. E. Church yard.
- e. John Wesley Callahan, died a young man and unmarried.
- f. Ann Luker Callahan married, December 15, 1830, Joseph Michael Doran,¹¹ by Rev. B. Weed, at St. George's M. E. Church, Fourth Street, below Vine, Philadelphia, Pa. Original records at Church, copy at Pennsylvania Historical Society. They had issue, hereafter mentioned. He died June 6th, 1859. She died April 30, 1883. Both were buried in St. Mary's

11. Joseph Michael Doran, was born in Philadelphia, November 10, 1800. He was the son of Michael Doran, of Mountreath, Queens County, Ireland, and of Mary Lalor, of Kings County, Ireland. Michael Doran arrived in Philadelphia, January 5, 1795, where he resided until his death. Joseph M. Doran, graduated at the University of Pennsylvania in 1820, studied law in the office of Joseph R. Ingersoll, and was admitted to the Philadelphia Bar, April 3, 1824. He was Solicitor for the District of Southwark in 1835, a member of the Pennsylvania Constitutional Convention of 1837, and Judge of the Court of General Sessions, 1840-43. He was President of the Repeal Association of Philadelphia. He died June 6, 1859, and was buried in St. Mary's Church yard, Fourth Street, above Spruce. (See "Biographical Encyclopædia of Pennsylvania," p. 76. Also Campbell's History of Hibernian Society, pp. 395-6).

R. C. Church yard, Fourth Street above Spruce, Philadelphia, Pa.

Griffin Wesley Callahan and Leah (Ashb.) Callahan, his wife, above mentioned had:

a. Margaret Susan Callahan, born February 27th, 1830, married, March 24, 1847, George Scarburg West, of Accomac County, Va., by Rev. Joseph Burton. See Register of Marriages, Accomac C. H., 1847, p. 48. Died November 22nd, 1893, and had children:

1. George Edris West, died in infancy.
2. Thomas Mitchell West, born September 2nd, 1849, married November 22, 1870, Anna I. Johnson, and had:
 - a.* Annie Susan West, born December 4, 1871, married John C. Finney, April 27, 1892, and had a daughter, Alice Leah Finney, born January 7, 1893.
 - b.* Lillian May West, born November 22, 1874.
 - c.* Ethel Margaret West, born January 2, 1880.
 - d.* Mary Ellen West, born December 7, 1884.
3. Margaret Rogers West, born April 23, 1853, married, April 16, 1869, Benjamin F. Davis, and had:
 - a.* George West Davis, born October 13, 1871.
 - b.* Frank Hudson Davis, born June 11, 1879.
 - c.* Warner Hyslop Davis, born December 16, 1888.
4. George Griffin West, born June 23, 1855, married, December 9, 1876, Lena E. Ames, and had:
 - a.* Vernetta Susan West, born January 17, 1878.
 - b.* George Levin West, born March 31, 1880.
 - c.* Mitchell Scarburg West, born September 13, 1884.
 - d.* Margaret Rogers West, born August 16, 1886.
5. John Edris West, born October 22, 1857, married, October 19, 1876, Florence B. Sucker, and had:
 - a.* Emma Sue West, born December 9, 1877.
 - b.* Roger Sucker West, born April 30, 1880.
 - c.* Edgar Allen West, born September 18, 1885.
 - d.* John Earle West, born May 17, 1892.
6. Susan Elizabeth West, born February 22, 1869, married, December 6, 1887, Arthur P. Martin, and had issue:
 - a.* Margaret Susan Martin, born January 4, 1889.
 - b.* Marion E. Martin, born April 10, 1891.
 - c.* Arthur P. Martin born October 17, 1893.
 - d.* Margaret Rogers Martin, June 10, 1895.

b. John Wesley Callahan, born October 22, 1833, married, January 20, 1856, Prudence Ann Sweeney, daughter of

James Sweeney, of Philadelphia, Pa., and Prudence (Sisom) Sweeney, of Burlington, N. J., and had children, hereafter mentioned.

c. Ann Elizabeth Callahan, born October 5, 1833, died October 5, 1842.

d. Mary Rose Callahan, born August 11, 1836, married James Floyd, of Northampton Co., Va., and has one son, John Floyd, of Marionville, Northampton Co., Va., who married a Miss Justice, and had issue.

e. Thomas Griffin Callahan, born June 3, 1838, died September 17, 1842.

John Wesley Callahan and Prudence (Sweeney) Callahan, above mentioned, had:

a. Annie Maryland Callahan, born November 6, 1856, married, July 19, 1878. Charles T. Graham, of Philadelphia, Pa., by Pastor of Third Baptist Church, and have:

1. Annie May Graham, born Nov. 29, 1880.
2. Lillian Graham, born Sept. 1, 1885.

b. Leah Virginia Callahan, born July 19, 1859, married, February 20, 1886, Thomas Auner, of Philadelphia, Pa., by Rev. Snyder B. Simes, of Old Swedes (*Gloria Dei*) Church. Thomas Auner died August 23rd, 1896, and had:

Edmund Cadwalader Auner, born March 10, 1890.

c. Griffin Clay Callahan, born November 29, 1861, married February 6, 1883, Ida Virginia Williams, born March 4, 1864, daughter of Charles and Bella (Reisner) Williams of Philadelphia, Pa., by Rev. J. R. Miller, Pastor of Holland Memorial Presbyterian Church, at Parsonage, No. 420 South Fifteenth Street, Philadelphia, Pa., and have:

1. Griffin Ellwood Callahan, born August 1, 1884.
2. Albert Clay Callahan, born October 12, 1885, died June 22, 1887.
3. Doran Sisom Callahan, born April 17, 1892.

d. John Wesley Callahan, born March 11, 1864.

e. Kate Eliza Callahan, born April 11, 1866, died January 9, 1885.

f. Lillie Sisom Callahan, born March 7, 1868, died March 10, 1880.

g. George West Callahan, born December 16, 1868, married, December 4, 1895, Renta Louise Glenz.

- h. Mary Susan Callahan, born August 19, 1873.
- i. Florence Selby Callahan, born January 8, 1877.

Joseph Michael Doran and Ann Luker (Callahan) Doran, above mentioned, had:

- a. Alice Lalor Doran, born February 28, 1842, died February 10, 1861.
 - b. Joseph Ingersoll Doran, born January 17, 1844, hereafter mentioned.
 - c. Virginia Doran, born April 9, 1846, died March 18, 1857.
 - d. John Ashley Doran, born March 23, 1848, died December 31, 1855.
- There were four other children who died in infancy.

Joseph Ingersoll Doran,¹² above mentioned, born January 17, 1844, married, December 12, 1876, Ida Warner Erwin, daughter of Joseph Warner Erwin and Caroline (Borden) Erwin, of Philadelphia, Pa., and granddaughter of Henry Erwin and Rebecca Ashton (Warner) Erwin, of Philadelphia, Pa., and of Samuel Borden and Catherine D. Upjohn Borden, of Cincinnati, Ohio, and have:

- 1. Marie Louise Doran, born September 16, 1877.

12. Joseph I. Doran, a prominent lawyer of Philadelphia, and for many years past associated in practice with Hon. John C. Bullitt, was born in Philadelphia, January 17, 1844. He received his preliminary education in private schools, principally that of John W. Faires, by whom he was prepared to enter the University of Pennsylvania. He remained, however, at the University but a short time, and in the fall of 1860 he entered the office of John C. Bullitt, first as a clerk, then as a student of law. He was admitted to the bar in April, 1865. Two years subsequently he was admitted to practice in the Supreme Court of Pennsylvania. Mr. Doran's practice has been confined to that of railroad and general corporation law. He is Consulting Counsel of many corporations, and has been General Solicitor of the Norfolk & Western Railroad since the organization of that company. Like his honored father, he has devoted himself with great zeal and earnestness to his chosen profession, and his business, during his many years of busy practice, has grown to large, laborious and exacting proportions. Preserving his habits of industry, study, and close application, he has also brought to the discharge of the manifold duties of his calling, a clear and conscientious conception of every obligation, and an ability as unquestioned in degree as it has been prolific in emolument. From about 1880 he has been closely identified with the development—which started at that time, and which has since been so rapid and successful—of the coal and iron districts of Virginia and West Virginia. In 1876, he read an interesting and suggestive paper before the American Social Science Convention, on the subject of "Building Associations," which attracted much attention. His pamphlet on "Our Fishery Rights in the North Atlantic," published in 1888, was an exhaustive investigation of this intricate and important subject, and was received generally as a forcible argument, and the best statement of the American side of the fishery question. The Philadelphia Ledger spoke of it as a "brief, pungent and able pamphlet," and the Boston Evening Transcript considered it "one of the most satisfactory contributions to the literature of the fishery controversy." These studies were diversions from Mr. Doran's close attention to the details of his large and extending practice, which almost exclusively occupies his time and thoughts.

2. Joseph Warner Doran, born November 1, 1878; died February 24, 1887.
3. Alice Theresa Doran, born March 16, 1881.
4. John Henry Doran, born May 31, 1883.
5. Caroline Borden Doran, born September 24, 1884.
6. Josephine Lalor Doran, born March 31, 1886.
7. Warner Erwin Doran, born December 18, 1887.

Rose Powell, widow of Michael Christian, above mentioned, married second, William Digby Seymour (born about 1738) and had one son:

1. Rev. William Seymour, born October 1, 1773, who married twice:

- 1st. Elizabeth Revell Ker, July 9, 1795.

- 2nd. Isabella Bowman, August 29, 1811 and had a daughter, Leah, who married Covington Cropper, son of Gen. John Cropper, and had a daughter Isabella, who died without issue; also a son George Seymour, who married Margaret Rogers, and has descendants, among them a daughter, Elizabeth, who married Col. Wm. A. Christian and had George, Wm. Seymour, and Elizabeth. For further particulars see the descendants of Dr. Michael Christian in this article.

His children by first wife were:

- a. Dr. Hugh Gordon Seymour, married Elizabeth Custis (Fisher), and left no issue. He was born 1797.
- b. Wm. Digby Seymour, born September, 1800. married Ann Upshur Bayley, October 10, 1826, and had:
 1. Elizabeth Corbin Ker Seymour, who married Chas. W. Carrigan, and had:
 - a. William Seymour Carrigan, who married Clara McClellan, and had: William Seymour, Robert McClellan, and Chas. W.
 - b. Eliza F. Carrigan, who married Isaac Scott Smyth, Jr., and have Isaac Scott Smyth, 3rd.
 - c. Hugh Gordon Seymour Carrigan, who married Elizabeth Crawford Love and had a daughter Elizabeth Love Carrigan, died minor.
 - d. Charles W. Carrigan, Jr., died minor.
 - e. Stokes Boyd Carrigan, who married Reba Blanche Fitler.
 - f. Ann Bayley Carrigan died minor.
 2. Anne Upshur Bayley Seymour, who married Rev. Alfred H. H. Ames, and have: (See George Chrestean Ames and Hester Wilby—preceding pages.)

- a.* Ann Seymour Ames.
 - b.* George Christian Ames.
- 3. William Digby Seymour, unmarried.
- 4. Edmund Bayley Seymour, who married Anne Barney Robinson, and have:
 - a.* Edmund Bayley Seymour.
 - b.* William Percival Seymour.¹³

FRANCES YEARDLEY AND SOME OF HER DESCENDANTS.

IV.

Some of the descendants of Frances Yeardley who married Major John West.

Their children, as before stated, were Argall Yardley, John, Charles, Thorowgood, Ann, Jemima, Matilda, Sarah and Joseph.

1. Argall Yardley West, who married ——— and left issue.

2. John West, (dec'd. 1729) who married ——— and left a son, Jonathan.

3. Charles West, who married Sallie Custis, and had:

a. Ann Custis West, who married first John Bundick and had no issue, and second Samuel Taylor and had issue: Elizabeth Sarah Taylor and Mary Ann Taylor.

b. Tabitha Susan West, who married Dr. Thomas J. L. Nottingham and had issue: Peggie Jonna, Samuel Baker, Thomas William, Elizabeth, Sarah Bundick, Charlotte Susan, and Clara West Nottingham.

c. Sallie West, who married Col. John Leatherbury and had issue, William, Elizabeth, Edward, George, Sallie, Katherine, John, (Col. John Leatherbury subsequently married Vienna, (Godwin) widow of William West, hereafter mentioned, and had a son, Thomas).

13. For the above information concerning Christians, Lukers, Callahans, Dorans, Wests, Parkers, Wises, Bagwells, and Seymours, I am indebted to the Record of Griffin Clay Callahan, Esq., of Philadelphia, Pa., a member of the Virginia Historical Society, and the Historical Society of Pennsylvania, and who is interested generally in historical matters relating to the Eastern Shore of Virginia, and its people, and who has been collecting historical and genealogical material from the Court Records, Family Bibles, etc., for several years, and kindly gave me the use of the above.

NOTE.—The descendants of Sarah Powell, Yeardley Powell, Margaret Powell, and Mary Powell—the brothers and sisters of Rose—I have not attempted to trace.

d. William West married Vienna Godwin and had a daughter, Clara Joanna West, who married Edward Holland and left issue:

I. Nathaniel Littleton Holland, who married his cousin, Juliet Fisher Holland, a daughter of Dr. Griffin Holland and his wife, Margaret Cotton Whittaker, of Tallahassee, Florida, and had:

1. Florence Rowena Holland, who married Otto F. Mears, and has Cecil Mears and Benjamin Mears.
2. Edward Holland,¹⁴ who married Eva Vandegrift, of West Virginia, and has a son, Edward Littleton Holland, Jr.
3. Dr. Griffin William Holland, unmarried.
4. Clarence Whittaker Holland, minor.
5. Marcus Whittaker Holland, dead.
6. William West Holland, minor.
7. Nathaniel Littleton Holland, dead.
8. Nathaniel Littleton Holland, minor.

II. Harriet Juliet Holland married Preston E. Trower, and has Edward Holland Trower, Robert Smith Trower, Preston Bryan Trower and Clara West Trower.

e. Charles J. D. West married Elizabeth Pitts and left issue:

I. William Mayor West, who married Sarah Windsor Shelton, of Petersburg, Va., and had: Alfred Seabury West, Fannie West and Charles West.

II. Margaret Catherine West married John Leatherbury and had: Margaret Catherine Leatherbury, Emory Pitts Leatherbury, Chauncey Leatherburg, and Virginia West Leatherbury.

III. Mary Isabella West married John Addison and had: Elizabeth Addison, John White Addison, and Sallie Fisher Addison—all unmarried.

IV. Elizabeth Robinson West.

V. Joanna Tabitha West married Thomas E. Leatherbury, (youngest son of Col. John Leatherbury by his last wife Vienna (Godwin), the widow of William West as shown above) and had Edward West Leatherbury, Vienna Goodwin West Leatherburg, and John Neely Leatherbury.

VI. Emory Washington West married Edward D. Pitts, son of Judge Edward Pitts, of Accomac County Va., and has Mary Pitts, Edward Pitts, Charles Pitts, Margaret Pitts and Emma Pitts.

¹⁴ Dr. Griffin William Holland, his brother, Edward Holland, and their sister, Susan, who married Myers W. Fisher, descended from Nathaniel Holland, who married Ann West, daughter of Major John West and Frances Yardley before mentioned, and also from Nathaniel and Susan (Bryan) Holland, of "Poplar Hill" Northampton Co., Va. Margaret C. Whittaker, second wife of Dr. Griffin Wm. Holland, was a daughter of Gen. Eli B. Whittaker of North Carolina.

VII. Ella Sarah West married Henry Powell, of Accomac County, Va., and has Cecil Powell, Ella Powell, Emory Powell and Ada Powell.

VIII. Charles Edward West.

4. Ann West, who married Nathaniel Holland. Her line has not been traced out as yet. Her descendants of the name are now represented by Nathaniel L. Holland and his wife Juliet. Nathaniel L. is a son of Edward L. and Clara Jonanna (West) Holland, and his wife Juliet is a daughter of Dr. Griffin Holland and his wife, Margaret Cotton Whittaker, late of Tallahassee, Florida—Edward L. and Dr. Griffin were brothers. Edward L. Holland had a daughter Hattie who married Preston Trower, Esq., and has children.

Dr. Griffin Holland married twice and had three children, all daughters. ———, Mary and Juliet. ——— married Leroy F. Oldham first and left no issue by him. She then married ———. Mary married — Bull, of Norfolk, Va., and had issue:

Juliet Fisher Holland married Nathaniel L. Holland and had:

- a. Florence Holland, who married Otto F. Mears and has two children, Cecil and Benjamin.
- b. Edward L. Holland, who married Miss Eva Vandegrift, of West Virginia, and has a son, Edward Littleton Holland.
- c. Griffin William Holland, unmarried.
- d. Clarence Whittaker Holland, minor.
- e. Marcus Whittaker Holland, dead.
- f. William West Holland, minor.
- g. Nathaniel Littleton Holland, dead.
- h. Nathaniel Littleton Holland, minor.

5. Sarah West married Isaac Smith, he died in 1760, left John, Isaac, Sarah, Anne, Betty, Thorogood, and Bridget.

- a. John Smith married Keziah—maiden name unknown, and descendants not known.
- b. Sarah Smith married ——— West, descendants not traced.
- c. Ann Smith married Jonathan West, descendants not traced.
- d. Betty Smith.
- e. Thorowgood Smith, alliances and descendants not traced.
- f. Bridget Smith.
- g. Isaac Smith (born November 4, 1734, died March 23, 1813), married, March 4, 1759, Elizabeth Custis Teackle (born December 13, 1742, died August 19, 1822), and had issue: I. Charles; II. Elizabeth; III. Sarah; IV. Margaret; V. Isaac; VI. Thomas; VII. Mary Ann; VIII. Susan; IX. Anne Teackle; X. John Thorogood; and two children who died in infancy.

I. Charles Smith, who married Katherine Teackle, lived at Moratico, Richmond Co., Va., and had issue:

a. Maria Smith, who married Dr. Buckner and moved to Missouri. They had nine children of whom Dr. Charles Buckner, of Charles Street, Baltimore, Md., is one. The others have not been traced.

b. Elizabeth Teackle Smith, married William Neale, and had:

1. William T. Neale, who never married.
2. Hamilton S. Neale, who married Elizabeth Bowdoin Smith, and had issue:
 William Gilmer Neale, died s. p.
 Catherine Neale, married Clement L. Shaver, of Fairmount, West Virginia.
 Grace Neale, unmarried.
 Mary Neale, unmarried.
 Walter Neale, unmarried.
 Ruth Neale, died infant.
 Ellen Neale, unmarried.
 Ethel Neale, who married Dr. Demorest of Washington, D. C.
 Hamilton Smith Neale, minor.
 Elizabeth Neale, minor.
 Henry Neal, died infant.
3. Walter Neale never married—killed at battle of Malvern Hill.
4. Catherine Neale married William Brown Upshur—no issue.
- c.* Charles Smith, who married ———, and has issue:
 1. Marianna Smith, who married Joseph Chinn, of Tappahannock, Va., and have a son Joseph and daughter Gertrude.
 2. ———.

II. Elizabeth Smith, who married first, Griffin Stith and had issue. She married second, Judge George Parker and had one son who died young.

III. Sarah Smith, who married, first, William Stith, and had:

a. Drury Stith married ———, in Surry Co., Va., and left no issue.

b. Mary Stith married John Brown Upshur, and had:

1. Elizabeth Ann Brown Upshur, who married Hon. Abel P. Upshur, Secretary of Navy and Secretary of State, under President Tyler, she being his second wife. They had one daughter Susan, who married Lt. Ringgold, who had a son James T. Ringgold, a lawyer now living in Washington, D. C.—the latter married Mrs. Minnie Bordley *nee* Egerton, and has issue.

2. William Stith Upshur married Ann Wilson of Richmond, Va., and had:
 - a.* Mary Jane Stith Upshur married Josiah R. Sturgis, of New York—issue not traced.
 - b.* Catherine Bullock Upshur, died s. p.
 - c.* John B. Upshur married Ann M. Andrews, of Louisiana.
 - d.* Thomas Wilson Upshur married (first) Mary Eliza Upshur and had no issue; and (second) Mary Ellen Duntton, widow of W. J. F. Peed and had no issue.
 - e.* Harriet Saltontall Upshur died s. p.
 - f.* William Stith Upshur died s. p.
 - g.* Charles Wingfield Upshur died s. p.
3. Caleb Upshur married:
 - 1st. Ann Pinner, of Nansemond County, Va., and 2nd. Martha Simmons.
 By first wife he had:
 - a.* Pauline Upshur, died s. p.
 - b.* John Upshur, died s. p.
 - c.* Caleb L. Upshur, married Anna G. Riddick, and left Annie, Lucy and Littleton.
 - d.* Elizabeth Upshur.
 - f.* Nannie Upshur.
 - g.* Hampton Stith Upshur, died s. p.
 By his last wife he had three children:
 - h.* Sally Upshur, married John R. Young.
 - i.* Robert Upshur, married ———.
 - j.* ———, died in infancy.
4. Abel Brown Upshur, married Columbia Williams, and left no issue:
5. Robert Stith Upshur married Pauline Lafferandry, and lived in New Orleans. Line not traced.
6. Mary J. Upshur; never married.
7. Hampden Upshur; never married.
8. Sallie Upshur; never married.
9. John D. Upshur married Elizabeth Faulcon and left a daughter, Mary Elizabeth, who married Thomas W. Upshur, and died without issue.

Sarah Smith, widow of William Stith, married second, George Savage, and had issue; not traced.

IV. Margaret Smith, who married Peter Bowdoin (she being his first wife), and had:

- a.* Dr. James Bowdoin, who married Zeporah Simpson, lived in South Carolina, and left one daughter.
- b.* Louisa Bowdoin, who married St. George W. Tucker, Professor at the University of Virginia, and left issue.

c. Peter Smith Bowdoin, who married Susan Jacob, and had two sons, viz.: Dr. John and William; the latter died s. p.

1. Dr. John married three times; first, a Miss Custis, who bore him no children. Second, Miss Hinman, who bore him three children. His last wife bore him no issue.

His children by second wife were:

- a.* Virginia Bowdoin married Mr. Johnson, and died in Washington, D. C., leaving issue not traced.
- b.* Margaret Bowdoin married ———, and is living in Northumberland County, Va., and has children not traced.
- c.* Dr. John Bowdoin, Jr., married Miss Flora Hival, of Louisiana, has a daughter, Margaret. He is a very prominent and influential citizen of Accomac County, Va.

Peter Bowdoin married (second) Leah Teackle, by whom he had also three children, who, not being descendants from Sir George Yardley, will not appear here:

V. Isaac Smith, who married (first) Maria Hopkinson, daughter of Judge Francis Hopkinson, of Philadelphia, Pa., by whom he had:

a. Maria Hopkinson Smith, who married Temple Nelson Robins, and had issue: Susan, Emily S., Isaac Smith, John Edward, Maria H., Elizabeth T., all of whom died s. p., except Susan and Emily, both of whom are unmarried.

b. Francis Smith, who married Susan Teackle, and had:

1. Lavinia Teackle Smith married Mr. Haviland, of Poughkeepsie, N. Y., and had two children, Annie and Pierson. Annie married Wilbur Gilbert, Esq., and has children. They live at West Superior, Wisconsin. Pierson married Miss Evelyn Teackle Smith, and lives at Mankato, Minnesota (hereafter mentioned) and have a daughter Lavinia.
2. Joseph Hopkinson Smith married Annie H. Handy, and left two daughters, Fanny and Lily, neither of whom are married. They live in Baltimore, Md.
3. Francis Smith, died in infancy.
4. Marshall Pike Smith, married Mary Crawford, and left;
 - a.* Crawford Smith, who married Fanny Albert, of Baltimore, Md., and has issue, not traced.
 - b.* Chester Smith, who married Dora Albert, of Baltimore, and has issue, not traced.
 - c.* Lela Smith, who died, unmarried.
 - d.* Mary Smith, married Rev. Mr. Smith, and lives in New York, and has issue, not traced.
 - e.* Zenie Smith.

f. Josephine Smith

g. Francis H. Smith. The last three unmarried.

5. Ann Teackle Smith, unmarried.

6. Francis Hopkinson Smith, married Josephine Vandeventer, of New York, and has (*a*) Berkeley and (*b*) Marian, both unmarried.

7. Susan Teackle Smith, married Thomas S. Moore, of New York, and has (*a*) Ethel and (*b*) David Thomas, both unmarried.

c. Dr. William Gilmore Smith, who married Elizabeth Upshur Bowdoin, daughter of Peter and Leah Teackle Bowdoin, and had issue:

1. Peter Bowdoin Smith, who married Kate Cropper, of Rock Island, Ill. He returned to Northampton County, Va., and had issue:

a. Elton Cropper Smith, who married Marian Godwin; he died in 1894, leaving a daughter, Mary, a few years old.

b. William Gilmore Smith, who married Nannie Wilson, and had a son, now dead.

c. Minnie Cropper Smith, unmarried.

d. Annie Wells Smith, married Daniel Parker, and had one child, now dead.

e. Charles Cropper Smith, unmarried.

f. Peter Bowdoin Smith, died in infancy.

2. Dr. Charles Smith, who married Margaret W. Jacob, have:

a. Elizabeth Bowdoin Smith, who married Wm. K. Robinson, of Philadelphia, who died, April, 1895 leaving her with two sons, William Kane and Charles Edward Robinson.

b. Teackle Jacob Smith, unmarried.

c. Bertha Bayley Smith, unmarried.

d. Charles Smith, unmarried.

3. Elizabeth Bowdoin Smith married Judge Hamilton S. Neale. (See issue under descendants of Elizabeth Teackle Smith and William Neale preceding.)

4. Maria Hopkinson Smith, who married Col. Ellison L. Costin, and has Captain James and Henrietta, unmarried.

5. Louisa Smith, died young.

6. Margaret Susan Smith, married Rev. James Craighill, and has issue: Susan, Frank, Rutherford and Bowdoin, none of whom are married.

7. Louisa B. Smith married (1st. Charles T. Bowdoin; 2nd. Judge Theodore S. Garnett. By the first husband she had Elizabeth Bowdoin and Charles Teackle Bowdoin, both of whom are unmarried. She has no issue by the second husband.

d. Emily Hopkinson Smith, died unmarried.

Isaac Smith married, second, Ann Teackle, daughter of John and Ann Upshur Teackle, of Accomac county, Va., and had:

e. Ann Teackle Smith, who married William Satchell Floyd, and had: *a.* James Frederick, unmarried, *b.* William Stockley, unmarried, *c.* Lavinia, died young, *d.* Nannie Teackle, unmarried.

f. Dr. Isaac Smith, died unmarried.

g. Elizabeth Teackle Smith, married Thomas Teackle Upshur, and had:

1. John Upshur, died s. p.
2. Thomas Teackle Upshur, who married Caroline D. Blanding, of Sumter S. C., and had issue: *a.* Elizabeth, died s. p. *b.* James Blanding, died s. p., *c.* Leonora McFaddin, *d.* Wm. Brown, *e.* Florence Irving, *f.* Anne Floyd, *g.* Caroline De Saussure, *h.* Thomas Teackle, *i.* Henry De Saussure Blanding. *j.* Sarita Reed, all minors.
3. Florence Upshur married Judge Levin T. H. Irving, of Somerset County, Maryland. He died in 1892, leaving no children..
4. Ann Elizabeth Upshur, unmarried.
5. Sallie Brown Upshur, married Wm. H. Dashill, of Princess Anne, Maryland, and died without issue.

h. Thomas Teackle Smith, married Sallie Guest, of Baltimore, Md., and had Annie, Levin Irving, and Augustus Webster, twins, and Evelyn Teackle, who married Pierson Haviland, before mentioned. All the above children died in infancy except Evelyn.

VI. Thomas Smith, died s. p.

VII. Mary Ann Smith, married 1st. Dr. Drisdale, who died, leaving no issue. 2nd, She married Wm. Gilmor, of Baltimore. Md., and had issue.

a. Jane Gilmor, who married Gen. Benjamin C. Howard, had twelve children, viz.:

1. Louisa T. Howard married George B. Hoffman, and had: Howard Hoffman and George B. Hoffman. They both died without issue.
2. Sophia Howard, 3. Marian G. Howard, 4. Anne W. Howard, have never married.
5. Jane, married Joseph King; has no issue.
6. Julia, married Richard Tyson, and have three children:
 - a.* Sophia, married Edward A. Marshall, and has:

1. Julian Howard Marshall.
2. Jean Howard Marshall.
3. Henry Bartholl Marshall.
- b. Benjamin Chew Tyson married Virginia Cabell, and has two children.
 1. Virginia Tyson, unmarried.
 2. Juliette Tyson, unmarried.
- c. Jesse Tyson, unmarried.
7. Ellen Gilmor Howard married Richard B. Bayard, and has:
 - a. Ellen Howard Bayard, unmarried.
 - b. Richard Howard Bayard, unmarried.
 - c. Jean Gilmor Bayard, unmarried.
8. William Gilmor Howard married ———, and has:
 - a. Benjamin Chew, unmarried.
 - b. Marian Gilmor, unmarried.

Four children of Gen. Benjamin C., and Jane Gilmor Howard died s. p.

b. Ann Gilmor married 1st. Mr. Williams, and had one daughter, who married the Rev. Campbell White and she had one daughter. 2nd. John Donnell, and died, leaving one daughter, Anne.

c. Mary Ann Gilmor, married Spear Nicholas, of Richmond, Va., and left no issue.

d. Louisa Gilmor, married Owens Hoffman, of Baltimore, Md., and had issue.

e. Robert Gilmor, married Miss Ellen Ward, and had nine children, among them: Judge Robert Gilmor, of Baltimore, Md.; Col. Harry Gilmor, of Confederate States Army.

f. William Gilmor, married Miss Louisa Hoffman, and left issue.

g. Charles Gilmor, married Miss Patterson, and had one daughter.

h. Sarah Gilmor, married Dr. Charles Buckner, and has issue.

i. Susan Gilmor married Lattimer Hoffman, and had issue: Lattimer and William.

VIII. Susan Smith married 1st. William B. Savage and left one daughter, Mary Ann, who married John C. Wilson,

NOTE.—The foregoing names of descendants of Gen. Benjamin C., and Jane Gilmor Howard have kindly been sent in by Miss Marian G. Howard, 914 North Charles Street, Baltimore, Md.

and left no issue; and 2nd. Judge George Parker, and left no issue.

IX. Ann Teackle Smith, married John Donnell, an Irish gentleman and merchant of Baltimore, Md. They had:

a. Elizabeth Donnell, who married Gen. John Swan, of Baltimore, Md., and had:

1. Ann Elizabeth Swan, who married William Frederick Frick, of Baltimore, Md., and had:
 - a.* James Swan Frick, who married Elise Dana, and has issue.
 - b.* Mary Frick, who married Robert Garrett, of Baltimore, Md., Ex-President of the Baltimore & Ohio Railroad Company, recently deceased, and has no issue.
2. John Swan.
3. Daughter.

b. Ellen Donnell married Samuel W. Smith, of Baltimore, and had issue:

1. Anne Donnell Smith married Frederick von Kapff, and had:
 - a.* Bernard von Kapff, unmarried.
 - b.* Frederick von Kapff, married Annie Brown.
 - c.* Ellinor von Kapff, married James W. Wilson, and has:
 1. Ellinor Wilson.
 2. James T. Wilson.
2. Major Robert H. Smith, was a gallant officer in the Confederate States Army. He married Mary Hall, and have:
 - a.* Robert, married Margaret Clark, and has:
 1. Robert; 2. Mary; 3. Nannie Smith.
 - b.* Nannie Smith married Chapman Clark, and has a daughter, Margaret Clark.
 - c.* Julian Smith, unmarried.
 - d.* J. Donnell Smith, unmarried.
3. J. Donnell Smith, unmarried.
4. Samuel S. Smith, married Nina Levering, and has a son, Wilson Smith.
5. William H. Smith, unmarried.
6. Ellen D. Smith, married Walter Blair, and has Ellen Codlington Blair.

c. Anna Donnell married ——— Kemp, of Baltimore, Md., and had two daughters, not traced.

NOTE.—The names of the foregoing descendants of Samuel W. Smith and Ellinor Donnell have been kindly sent me by Mrs. Frederick von Kapff, 505 Park Avenue, Baltimore, Md.

d. Frances Donnell married Gustav W. Lurman, of German birth, a merchant of Baltimore, Md. They had children:

1. John S. Lurman, unmarried.
2. Gustav Wilhelm Lurman, married Elizabeth Cooke Powell, and has issue.
3. Theodore Gerhard Lurman married Nannie Allen Tilgham, and has issue.
4. Fannie Donnell Lurman (died Aug. 29, 1889) married Frank Frick, and has issue.
5. Anna Donnell Lurman, died young.
6. Elizabeth Swan Lurman, died, unmarried.
7. Josephine Lurman married C. Morton Stewart, a merchant of Baltimore, Md., and has issue:
 - a.* Frances Lurman Stewart married Mr. Edward Livingston Coster, of New York, and has a daughter, Josephine, born Feb. 6, 1894.
 - b.* Mary Morton Stewart, died in infancy.
 - c.* Charles Morton Stewart, married Sophia Howard McHenry.
 - d.* John Lurman Stewart, } Twins, born April 29, 1871. The
 - e.* Gustav Lurman Smith } latter married Ann Gilmor,
 - Stewart, } Oct. 3, 1894.
 - f.* Redmond Conyngham Stewart, born Oct. 4, 1873.
 - g.* Priscilla Pinkney Stewart, married John McHenry, Oct. 23, 1894.
 - h.* William Plunket Stewart, born January 4, 1878.
 - i.* Ellinor Donnell Stewart, born Aug. 17, 1879.
 - j.* Dorris Lurman Stewart, born May 7, 1881.
 - k.* Stephen Lurman Stewart, born Oct. 29, 1882.
 - l.* Donnell Stewart, died in infancy.
 - m.* William Donnell Stewart, born Jan. 27, 1889.
8. Ellen Stewart, died in infancy.
9. Minna Stewart, unmarried.
10. Gustav Wilhelm Stewart, died in infancy.
- e.* Mary Ann Donnell, died unmarried.
- f.* John Donnell, married Ann Gilmor.
- g.* James Donnell, married ———.
- h.* William Donnell married ———, and had issue.
- X. John Thorogood Smith, died s. p.

THOMAS T. UPSHUR,

Nassawaddox, Northampton Co., Virginia,

September 19th, 1896.

THE FAMILY OF GEN. JAMES ROBERTSON.

BY LAVINIA R. (HILL) BROWN.

[Continued from July number.]

(Fourth Generation.)

(No. 150.)

Mary Lydia Smith, daughter of Thomas and Elizabeth (Robertson) Smith, after receiving her education both in this country and Europe, married Dr. R. J. Farquharson, a surgeon of nine years' standing in the United States Navy. He was descended from a prominent Scottish family, whose records for four hundred years are in his widow's possession. He was a most learned man, and master of several languages. At the time of his death was Secretary of the State Board of Health of Iowa; they had nine children.

- 395. Robert, born and died 1857.
- 396. Elizabeth, born 1858, died 1868.
- 397. Thomas, born 1860.
- 398. Lydia, born 1862, died 1864.
- 399. Mary S., born 1864.
- 400. Rebecca, born 1866, died 1866.
- 401. Howard, born 1867.
- 402. Annie, born 1869.
- 403. Rebecca, born 1874, died 1874.

(No. 151.)

Felix R. Robertson Smith, son of Thomas and Elizabeth (Robertson) Smith, married Cinthia Rodes in 1866; five children.

- 404. Samuel Granville Smith.
- 405. T. Elizabeth.
- 406. Cynthia.
- 407. Ellenora Hennen.
- 408. Annabel.

(No. 151.)

Felix R. R. Smith, attended the Western Military Institute, of Nashville, Tenn., took a course at the Collegiate and Commercial Institute, New Haven, Conn.; also "Rensselaer's Polytechnic Institute," Troy, N. Y. He was in the employ of the Confederate service, as civil engineer, and is now practicing his profession in Nashville, Tenn.

(No. 152.)

Felix R. Sullivan, son of Frank and Mary (Robertson) Sullivan, married Miss Buchanan. They reside in Baltimore; four children.

409. Frank; no dates given.

410. Mary; no dates given.

411. Felix; no dates given.

412. Annie; no dates given.

(No. 153.)

Anna Barker Hennen, daughter of Duncan and Ellenora (Robertson) Hennen, married Gen. J. B. Hood, of C. S. A., 1869. She spent many years in Paris and Italy, completing her education, accompanied by her mother; eleven children.

413. Lydia H., born 1870, died 1879.

414. Annabel, born 1871.

415. Ethel, born 1871.

Twins.

416. Duncan H., born 1872.

417. John B., born 1873.

418. Lillian, born 1874.

419. Marian, born 1874.

Twins.

420. Odel, born 1876.

421. Ida, born 1876.

Twins.

422. Oswald, born 1878.

423. Anna G., born 1879, died 1880.

(No. 155.)

Ellenora Robertson, daughter of John E. and Mary (Oldham)

Robertson, married Dr. W. C. Poe (cousin of the poet), 1867; eight children.

- 424. Nora; no dates given.
- 425. William; no dates given.
- 426. Emilie; no dates given.
- 427. Miriam; no dates given.
- 428. Frank; no dates given.
- 429. Violet; no dates given.
- 430. Annabel; no dates given.
- 431. Gertrude; no dates given.

(No. 160.)

William Robertson, son of John E. Beck and Mary (Oldham) Robertson, married Jennie Killum; one child.

- 432. William.

(No. 161.)

Minnie Robertson, daughter of John E. Beck and Mary (Oldham) Robertson, married Mr. Norton; second marriage, A. B. Jones; (one child given).

- 433. Louise Jones.

(No. 162.)

Neppie Robertson, daughter of John E. B. and Mary (Oldham) Robertson, married Mr. Simpson; second marriage (to her brother-in-law), A. B. Jones; five children.

- 434. Mary Simpson.
- 435. John D. Simpson.
- 436. Zoe Simpson.
- 437. Chloe Jones (second marriage); no dates.
- 438. Ruth Jones (second marriage); no dates.

(No. 163.)

James H. Robertson, son of Felix R. and Mary (McKenzie) Robertson, married Miss A. Thedford, 1874, in Arkansas; six children.

- 439. Felix R., born 1875, died 1878.
- 440. Daisy, born 1878.
- 441. Mary R.; no dates given.
- 442. James H.; no dates given.
- 443. Bessie T.; no dates given.

444. Joe Garrett; no dates given.

(No. 164.)

Mary Lydia Robertson, daughter of Felix R. and Mary (McKenzie) Robertson, married Samuel Seay Roche, of Nashville, Tenn., in 1874, whose ancestor was a friend and comrade of George Washington in the Revolutionary war; five children.

445. Lydia Smith, born 1874.

446. Elizabeth R., born 1876.

447. Nellie Jennings, born 1880.

448. Felix Robertson, born 1887.

449. Samuel Seay, born 1890.

(No. 167.)

Charlotte E. Napier, daughter of James E. and Hannah (Vanleer) Napier, married Chas. B. Hale, Sept. 9, 1841, by Rev. A. L. P. Green; one child.

450. Ada, born Nov. 9, 1845, died 1846.

(No. 168.)

Morgiana, daughter of Col. James E. and Hannah (Vanleer) Napier, married Col. William Johnson, Sept. 9, 1846, near Nashville, Tenn; one child.

451. Granville, born Oct. 7, 1847.

(No. 170.)

Margaret, daughter of Col. James E. and Hannah (Vanleer) Napier, married John Stacker Vanleer, December, 1848; second to Dr. Henry Sheffield; no issue by last marriage; three children.

452. Minnie, born 1849, died April 15, 1886.

453. Samuel.

454. Frederick Terrass.

(No. 179.)

Fenno Robenia Napier, daughter of Leroy and Fannie (Robertson) Napier, married Jones W. Christian, Sept. 14, 1857; seven children.

455. Ianthus, born Nov. 14, 1858.

456. Luona A., born June 6, 1862.

457. Morgia Adelee, born June 12, 1866.

458. Kittie Fenno, born June 7, 1867.

459. Jones C., born Jan. 25, 1870.

460. Myrtle E., born Aug. 1, 1878.

461. Carlos J., born Aug. 14, 1885.

(No. 183.)

Salena J. Napier, daughter of Leroy and Fannie (Robertson) Napier, married Jeff J. Curry, March 5, 1887; (no issue).

(No. 185.)

Idi Corinne, daughter of Leroy and Fannie (Robertson) Napier, married T. L. Ransom, Dec. 22, 1888; (no issue).

(No. 186.)

Fannie Lorena, daughter of Leroy and Fannie (Robertson) Napier, married Lewis N. Campbell, Oct. 16, 1887; (no issue).

(No. 189.)

Frederic Napier, son of Leroy and Fannie (Robertson) Napier, married Mary E. Nottgrass, Dec. 23, 1881; (no issue).

(No. 191.)

William J. Sharp, son of George and Tennessee (Robertson) Sharp, was an inventor of a sugar evaporator; had a family; no other information given.

(No. 192.)

Leodocia Sharp, daughter of George and Tennessee (Robertson) Sharp, married Oliver P. Davis; three children.

462. William Sharp; no dates given.

463. Oliver Perry; no dates given.

464. Ernestine; no dates given.

(No. 193.)

Elizabeth Sharp, daughter of George and Tennessee Robertson Sharp, married Samuel Matthews; three children.

465. Edwin; no dates given.

466. Elizabeth; no dates given.

467. Jervis; no dates given.

Samuel Matthews, Sr., graduated from the University of Nashville with A. M., took LL. D. at Harvard, and lived in Iberville Parish.

(No. 195.)

Leodocia Robertson, daughter of Col. James E. and Ernestine

tine (Schlater) Robertson, married Nathaniel Pope, June 23, 1858. He was a lawyer, a member of the Louisiana Legislature, and died in 1886; eight children.

468. Kate Lyle Pope, born 1859, died 1859.

469. David, born 1860, died 1864.

470. Virginia Lee, born 1861, died 1886.

471. Hunter Collins, born 1863, died 1867.

472. Nathaniel, born 1867, died 1868.

473. Henry Allen, born 1871.

474. Clarence, born 1875.

475. Irvin, born 1879.

(No. 196.)

Tennessee Robertson, daughter of Col. James E. and Ernestine (Schlater) Robertson, married Samuel Matthews (lawyer), Nov. 12, 1862; he died June 11, 1895; eight children.

476. Annie, about 1866, died 1889.

477. Crusoe, about 1867.

478. Mary, about 1869.

479. Harley, about 1871.

480. Essie, about 1872, died 1878.

481. Schamyl, about 1875, died 1878.

482. Ernestine, about 1877.

483. Samuel, about 1879.

(No. 197.)

James Michael Robertson, son of Col. James E. and Ernestine (Schlater) Robertson, married Ernestine Kleinpeter, Oct. 12, 1870; five children.

484. Albert Sidney, Aug. 22, 1871.

485. Frederick James, July 17, 1873.

486. Randle McGee, Aug. 27, 1874.

487. Archie Edward, Feb. 17, 1876.

488. Ernestine, Oct. 3, 1879.

(No. 198.)

Frederic Davis Robertson, son of Col. James E. and Ernestine (Schlater) Robertson, married Regina Weissinger in 1881; she died in 1889; one child.

489. Freddie, born Jan. 16, 1884.

(No. 199.)

Mary Jane Robertson, daughter of Col. James E. and Ernestine (Schlater) Robertson, married T. G. B. Weissenger, 1866; (no issue).

(No. 200.)

William Blount Robertson, son of Col. James E. and Ernestine (Schlater) Robertson, married Mary Debleiux; ten children.

- 490. Ernest, born Feb. 4, 1875.
- 493. Wm. R., born Sept. 4, 1876, died Feb. 7, 1877.
- 494. Edward White, born July 1, 1878, died unmarried.
- 495. Mary E., born Feb. 26, 1880.
- 496. Mary Essie, born Aug. 19, 1882.
- 497. William Blount, born Dec. 1, 1883.
- 498. Henry Allen, born March 11, 1885.
- 499. Arthur R., born June 14, 1887.
- 500. Mary L., born June 22, 1888, died July 4, 1888.
- 501. Agnes Gwendoline, born May 28, 1890.

(No. 202.)

William Blount Robertson, son of Judge William B. and Mary (Chinn) Robertson, was educated at Nashville Military Institute and University of Virginia; he was First Lieutenant, First Regiment, Louisiana Volunteers; served at batteries of Fort Jackson, fired first shot upon the Union fleet; commended for bravery; after the war went to Texas; later to California; unmarried.

(No. 203.)

Elizabeth Johnson Robertson, daughter of Judge William B. and Mary (Chinn) Robertson, married John Bronaugh Hereford, March 19, 1862; six children.

- 502. Mary Chinn Hereford, born 1864.
- 503. John Bronaugh, born 1866.
- 504. Anna Lobdell, born 1868.
- 505. James Stirling, born 1870.
- 506. Felix Senette, born 1877.
- 507. Catherine Stirling, born 1880.

(No. 203.)

Mrs. J. B. Hereford graduated at Patapsco Institute, Maryland, with honors and medal; lives in Dallas, Tex. She is an authoress of distinction and wrote "Rebel Rhymes," a volume of poems; she is a woman of rare literary tastes and acquirements.

(No. 204.)

Thomas Chinn Robertson, son of Judge William B. and Mary (Chinn) Robertson, was educated at the University of Nashville, Tenn., Virginia University, and Centenary College, La.; served in C. S. A. with distinction; commended for gallantry; married Emilie M. Hiltzheim, who died June 12, 1866.

(No. 206.)

James Erwin Robertson, son of Judge William B. and Mary (Chinn) Robertson; was educated at Centenary College, La.; served with distinction in C. S. A., and took part in two famous battles in Louisiana, "Mansfield" and "Pleasant Hill;" lives at Limerick Plantation, La.; unmarried.

(No. 207.)

Leodocia Erwin Robertson, daughter of Judge William Blount and Mary (Chinn) Robertson, married Felix Senette (a planter), Sept. 27, 1870; he died of yellow fever, Oct. 9, 1879; second marriage to Judge William C. Harris, of New Orleans, La.; two children.

508. Regina Senette; no dates given.

509. Thomas Robertson Senette; no dates given.

(No. 208.)

Mary Chinn Robertson, daughter of Judge William B. and Mary (Chinn) Robertson, married Edward Desoby, of Plaquemine, La.; five children.

510. Charles E.; no dates given.

511. William Robertson; no dates given.

512. Mary Henrietta; no dates given.

513. Linus H.; no dates given.

514. Minerva H.; no dates given;

515. Lewis; no dates given.

516. Henry L.; no dates given.

517. Ehner C.; no dates given.

(No. 209.)

Tennessee Robertson, daughter of Judge William B. and Mary (Chinn) Robertson, was educated at Ann Arbor, Mich.; lives at Limerick Plantation, Parish of West Baton Rouge, La.

(No. 210.)

Ernestine Schlater, daughter of Judge Wm. Blount and Mary (Chinn) Robertson, resides at Limerick Plantation, La.

(No. 211.)

Bolling Chinn Robertson, son of Judge William Blount and Mary (Chinn) Robertson, was educated at Louisiana State University, married Roselle Smoote, of Oakland, Cal.; is a member of the firm of Price, Berlin & Co., of San Francisco, Cal.; three children.

518. Carl; no dates given.

519. William B.; no dates given.

520. Alexander Roth; no dates given.

(No. 212.)

Frances Conrad, daughter of Judge William B. and Mary (Chinn) Robertson, resides at the family homestead, "Limerick."

(No. 213.)

Catherine Lyle, daughter of Judge William B. and Mary (Chinn) Robertson, married Charles D. Lavallee; she is literary and is a contributor to leading periodicals; two children.

521. Hilda Van Ness.

522. James Kenneth.

(No. 214.)

Dr. Alexander Roth Robertson, son of Judge Wm. Blount and Mary (Chinn) Robertson, graduated at Tulane University, of New Orleans, La.; married Alice Louise Ainsworth, of Pass Christian, Miss.; is now practicing medicine in the Parish of West Baton Rouge, La.; is a talented, successful and beloved physician; though young, he stands in the front rank of his profession.

(No. 215.)

Edward B. Talbot, son of Augustus and Lavinia (Robertson) Talbot, was Judge of the Fourth Judicial District of Louisiana several terms; no other information given.

(No. 216.)

Leodocia Talbot, daughter of Augustus and Lavinia (Robertson) Talbot, married Thomas Archer; no issue; second marriage to Andrew Roland; one child.

523. Lavinia.

(No. 219.)

Martha Johnson Robertson, daughter of Edward White and Mary (Pope) Robertson, married Sept. 1, 1870, to C. J. Barrow, merchant in Baton Rouge; six children.

524. Leila M., born Nov. 5, 1871.

525. Wylie Micajah, born Feb. 19, 1873.

526. Mary Jane, born June 21, 1876.

527. Edward Robertson, born June 21, 1878.

528. Martha Johnson.

529. Cordelia J.; died in infancy.

(No. 220.)

Samuel Matthews Robertson, son of Edward White and Mary (Pope) Robertson, married Georgie Blanchard Sanford, Dec. 30, 1875. He is serving his fourth term in Congress from the Sixth Congressional District of Louisiana. The mantle of the father fell on the son, which he has worn with honor; two children.

530. Edward White, Jr., born Jan. 28, 1877.

531. John Sanford, died in infancy.

(No. 223.)

Caroline Robertson, daughter of Edward White and Mary (Pope) Robertson, married Elijah S. Robertson, Nov. 11, 1880; he died Jan. 24, 1891; five children.

532. Thomas W., born Aug. 7, 1882.

533. Lula Ernestine, born June 28, 1884.

534. Elijah Sparks, born Sept. 10, 1886.

535. Edward White, born Aug. 13, 1888.

536. Rhoda Jane, born Aug. 25, 1890.

(No. 226.)

Marshall Pope Robertson, son of Edward White and Mary (Pope) Robertson, married Olive C. Smith; he is a civil engineer and lives in Baton Rouge, La.; three children.

537. Georgia, born June 19, 1890.

538. Olive C., born Sept. 13, 1892.

539. Frances G., born Jan. 28, 1894.

(No. 228.)

Frederick C. Robertson, son of Edward White and Mary (Pope) Robertson, is a lawyer, and United States Assistant Attorney, Tacoma, Wash.; married Amelia Agnes DeSion; two children.

540. Steven O'Brien, born June 20, 1894.

541. Frederic.

(No. 229.)

Mary L. Robertson, daughter of Edward White and Mary (Pope) Robertson, married John Munroe Sherrouse, July 10, 1889, President of the Sherrouse Medicine Co., New Orleans, La.; two children.

542. Julian Monroe, born Jan. 12, 1892.

543. Marrieda Lilian, June 23, 1893.

(No. 235.)

Nellie Robertson, daughter of Dr. Flavius Josephus and Laura (Brown) Robertson, married R. W. Jennings, Principal of Jennings Business College, Nashville, Tenn.; three children.

544. Maud.

545. William Erskine.

546. Evelyn Medora.

(No. 236.)

Medora Robertson, daughter of Dr. Flavius Josephus and Laura (Brown) Robertson, married A. W. Hogen; two children.

547. Laura.

548. David Kelly.

(No. 238.)

Mary Ellen Huddleston, daughter of Dr. Joseph and Alice (Robertson) Huddleston, married W. R. Chambers; three children.

549. Horace C.

550. Paul.

551. Watson.

(No. 239.)

Josephine Huddleston, daughter of Dr. Joseph and Alice (Robertson) Huddleston, married R. E. Andrews; two children.

552. Russell.

553. David.

(No. 242.)

Annie Robertson, daughter of Judge John Blount and Adelaide (Gordy) Robertson, married C. B. Murphy; four children.

554. Robert.

555. Adelaide.

556. Charles B.

557. Annie C.

(No. 243.)

Nellie Robertson, daughter of Judge John Blount and Adelaide (Gordy) Robertson, married C. B. Cannon; one child.

558. Peyton.

(No. 244.)

Peyton Robertson, son of Judge John Blount and Adelaide (Gordy) Robertson, married Minnie Wharton, April 15, 1896; she is the daughter of Prof. Wharton, of Nashville, Tenn.

(No. 245.)

Laura B. Robertson, daughter of Judge John Blount and Adelaide (Gordy) Robertson, of New Orleans, received her education at Wartrace and Nashville, Tenn.

(No. 246.)

James G. Paine, son of Bishop Robert E. and Susanna (Beck) Paine, was Clerk of the House of Representatives at Washington eight years; married Fannie Graves, Nov. 6, 1849; she was born July 4, 1829; her mother was a great-granddaughter of Lord Bedford, of England; Mr. Paine died at Social Circle, Ga.; seven children.

559. Lilly S. Paine, born Nov. 5, 1850.

560. John, born Dec. 4, 1852, died 1857.

561. Iverson S., born Sept. 22, 1855.

- 562. James G., born June 4, 1860.
- 563. Robert S., born July 6, 1862.
- 564. Sarah E., born Jan. 22, 1865.
- 565. Francis L., born Nov. 23, 1866, died 1887.

(No. 248.)

Lavinia Hill, daughter of John T. and Georgiana (Beck) Hill, married John W. Terrass; one child.

- 566. James; died 11 years of age.

(No. 249.)

Ann Eliza Hill, daughter of John T. and Georgiana (Beck) Hill, married Henry Nelson Snyder, February, 1848; eight children.

- 567. Romulus Harrison, born Nov. 9, 1848.
- 568. Georgiana Beck, born Aug. 6, 1853.
- 569. Mary Fannie, born Aug. 6, 1857, died 1863.
- 570. Hughetta McCrea, born Aug. 9, 1859, died 1860.
- 571. Washington Barrow, born Aug. 7, 1861, died 1863.
- 572. Henry Nelson, Jr., born Jan. 14, 1865.
- 573. Hugh Mac, born Nov. 26, 1867.
- 574. Amelia Vanleer, born July 12, 1871, died 1875.

(No. 249.)

Mrs. Ann E. Snyder is the authoress of "My Scrap Book," "Civil War From a Southern Standpoint," "On the Wautaga and the Cumberland," She was educated at the Nashville Female Academy.

(No. 250.)

Dr. John B. Hill, son of John T. and Georgiana (Beck) Hill, married Louisiana Mays, Oct. 12, 1854; eight children.

- 575. Lavinia R., born Dec. 4, 1855.
- 576. Nina Fowler, born Sept. 18, 1857.
- 577. Georgia Beck, born July 5, 1860.
- 578. Sammie Félix, born March 27, 1863.
- 579. Carrie Talliaferro, born Aug. 27, 1865.
- 580. Annie Sue, born Nov. 26, 1867.
- 581. John William, born Sept. 19, 1871; unmarried.
- 582. Lottie Lou, born Oct. 20, 1876; died in infancy.

(No. 251.)

Dr. John Beck Hill graduated with honors at the University of Nashville Medical Department, and has followed his profession forty-one years, near Bellevue, Tenn. His skill as a physician and noble Christian character has won for him the confidence and esteem of the community in which he lives.

(No. 252.)

Susanna B. Hill, daughter of John T. and Georgiana (Beck) Hill, married Miles Atkeison, March 23, 1856; second marriage to Robert Atkeison (dead); three children.

583. James; died in childhood.

584. Osmond Summers, born 1858.

585. James Paine, born 1863. (Second marriage.)

(No. 254.)

Carrie T. Hill, daughter of John T. and Georgiana (Beck) Hill, married Capt. Samuel Mays, Jan. 24, 1866, in Nashville; three children.

586. William Wright, born April 13, 1868; unmarried.

587. John Robert, born July 11, 1869.

588. Ordalia, born July 7, 1873, died 1886.

Samuel Mays was Captain commanding Co. G, C. S. A., Fiftieth Regiment Tennessee Volunteers, Gregg's Brigade; served from 1861 to 1865; now Capt. Co. B, ex-Confederate Veterans, Nashville, Tenn.

(No. 255.)

Dr. Felix Robertson Hill, son of John T. and Georgiana (Beck) Hill, married Ordalia Mays, in Courtland, Ala., July 10, 1864; seven children.

589. John Summerfield, born May 26, 1865.

590. Mattie Sue, born Nov. 25, 1866, died 1873.

591. Felix Robertson, Jr., born Oct. 21, 1869.

592. Emma Wendle, born Oct. 4, 1872, died 1873.

593. David Spence, born Dec. 14, 1873; unmarried.

594. Lafayette B., born Sept. 28, 1879; unmarried.

595. Edward Gay, born Aug. 17, 1883.

(No. 255.)

Dr. Felix Robertson Hill has served as pastor of Southern

Methodist churches in Nashville, Mobile, New Orleans, St. Louis, Baltimore and Kansas City.

(No. 257.)

Lavinia Robertson Hill, daughter of John T. and Georgiana (Beck) Hill, married Isham Fielding Davis, May 17, 1868. Mr. Davis was born at Bowling Green, Ky.,; died at Rosedale, La., Aug. 10, 1892. He served in the C. S. A. with distinction, from beginning to end; was in Morgan's command, and he was commended for gallantry and self-sacrifice. Mr. Davis was an intelligent, Christian gentleman, a useful citizen, and highly respected throughout the parish.

(No. 258.)

William Hill, son of John T. and Georgiana (Beck) Hill, married Emma Willson, Oct. 22, 1887, in Texas; seven children.

596. Lottie, born Sept. 8, 1876.

597. Walter, born Oct. 29, 1878.

598. Felix, born July 13, 1881.

599. Robert, born Sept. 10, 1883.

600. Louise, born Oct. 7, 1886.

601. John Beck, born March 4, 1889.

602. Edward Lee, born July 11, 1891.

(No. 259.)

Charlotte Robertson Hill, daughter of John T. and Georgiana (Beck) Hill, married Dr. Manuel M. Hayden, July 29, 1879; he died June, 1892; two children.

603. James Francis, born Jan. 7, 1881.

604. Isham Davis, born Jan 22, 1882.

[To be concluded in next issue.]

CORRESPONDENCE OF GEN. JAMES ROBERTSON.

[From Gov. Blount on Indian affairs.]

KNOXVILLE, April 27th 1792.

Sir,

Your Son, T. R. Robertson will inform you in what manner I have treated the confidant of the mountain leader and his two companions Thompson and Tom.

I have engaged your Son and Mr. Foster to accompany them to their nation and I have also engaged them to proceed on to the Chactaw nation.

They have letters for both from the Secretary of War and myself with unclosed Seals and I have directed them to let you read them before they are closed, and they have also my directions to show you my instructions to them.

This will explain to you why the Chickasaws have returned. I return enclosed your own and Mr. Deadrick's account with explanatory notes informing you how they shall be made anew.

Those four men you call Spies which you say you have engaged at a dollar per day of whose use and worth you speak so highly and which I do not doubt, I am sorry to say are not within the description of the people intended by my order nor can I order such on duty.

Such as I order out will be allowed pay agreeably to the ac't forwarded to you and no more. I cannot indulge my wishes not even to promise you to use my endeavours to obtain payment as it now appears to me that the government will by no means agree to any such thing lest it should grow precedent. The nine men you have ordered out to protect the frontiers in addition to the two companies I approve and you will please continue them on duty for the term for which the two companies are ordered on duty.

I make no doubt you have heard of the murder of Harper Ratclif's wife and children, and about the same time there were several other alarming circumstances on the frontiers of

Hawkins County, and it was from it had ordered the company to be raised for the protection of the frontiers of Mero District. This has obliged me to issue an order for that company to range upon the frontiers of Hawkins for the protection of the Inhabitants.

I hope the two companies you have turned out will be sufficient for your protection as I have hopes hostilities will cease founded on the friendly disposition with which the Cherokee Chiefs have returned into their nation from Philadelphia, for further particulars of which I refer you to General Smith to whom I have written more fully on that head, and Mr. Bowles being obliged to leave the Creeks. But should the danger still continue, you will please give me information, and I shall certainly order a company from Washington, Sullivan, or Greene to your aid and protection.

With respect to powder and lead, buy no more than is necessary for the militia on duty, and that on the best terms you can obtain it.

At present lead is obtained here at the twelfth of a dollar per pound.

This afternoon since the Chickasaws left me, I have received a letter from David Allison dated Philadelphia, Sunday March 25th, informs me that he had arrived there on the Friday night before, that on Saturday he had laid my letters before the Secretary of War, who after reading them and asking many questions, observed "that Governor Blount's plans were certainly founded on policy as well as the true principles of Justice and that he would venture to assure me every part should be complied with, and that I might write Governor Blount to that purport, which I have now done nearly as I can recollect the words."

This promises well but as the President himself has not seen my letter and Plans, I do not count that a Treaty with Chickasaws and Chactaws at Nashville this Summer is quite certain.

This has induced me to wish that the returning Chickasaws may not leave your house in less than fifteen days, hoping that I shall get certain information on that head so as to give it to your son and Mr. Foster with additional instructions, then one visit would answer both purposes. If goods

should come forward for these Treaties to go down the Tennessee, I shall want Alexander Moore to take the command of the Boats, will you ask him if he can come and the price he must have per day, and inform me by Judge Campbell. The thanks of your District are very acceptable and grateful, and I beg you and the District to believe that no man (nonresident) can participate in whatever affects them more than I do, that I am ever mindful of their welfare and happy in promoting it.

I am your most Obedient

Humble Servant,

WM. BLOUNT.

[From Gov. Blount on Military Warrants.]

April 29th 1792.

Lest you should by some means have mislaid or omitted the laying some of our Military Warrants, my Brother has thought it best to forward to you a list of all the Military Warrants we ever sent to you. I beg you to examine if you have located them all; for all that are not passed into grants by the 22d of December will be lost. The enclosed letter to William Reasons is on the subject of those four delivered to him to locate, which I beg you to forward to him by some safe hands. Lay as many of the Warrants within the present Indian Bounds as you can, taking Care to avoid disputes in the Titles, but in case you cannot find good land within the Boundary and have got Surveys without the Bounds already made, then let such locations rest as they are. Should you need money to complete the locating or Surveying Business, let me know, and you shall have it and finish the Business in the best manner you can, and as speedily as you can. I believe I before informed you that a second warrant had issued to Nathaniel Lawson, and that he had obtained his Grants. You will therefore decline returning works on the warrant in his name in your hands. I do not see the name of Francis Child among the warrants, and surely I gave you his warrant. Pray inquire. He is a good friend of mine, and is very desirous to have his Grant. Enclosed is an additional warrant which you will please have laid in due time. If a guard is necessary to you to insure safety in laying our warrants with-

in the Boundary, you must procure one, and I will pay for it, for the Grant must be completed, and it is in vain to stop now at a trifling expense.

I need not say observe economy, but be sure don't expose yourself too much to save a little expense. A Mr. John Bush, late an officer, has a tract of land he wishes me to purchase as he owes me money. I will thank you to inform me where it lays and the quality of it. Dr. Colman Tract belongs to my Brother Willie, the Grant is not yet out, who undertook the Surveying I don't know. Pray inquire and urge the completion of the Title. If it is detained for the want of necessary Cash, it shall be forwarded on demand. I think of no more at present. I hope Judge Campbell will be attended to.

You will think of Judge Anderson as you find him, and not count anything on my former Recommendation.

WM. BLOUNT.

[From Thomas Cortell, Spanish Commandant, on Indian affairs.]

NEW MADRID, 7th May, 1792.

Sir,

I had the honor of receiving your favour, bearing date the 13th Feb. last, which indicates that all good neighbors ought to preserve one with another, strict union and sincere harmony, which in the Genial System of my Nation uniformly joins with the purest ties of humanity, to which only we were accustomed.

By virtue of what you mentioned, I called in a Delaware Indian named Raccoon, which you pointed out to in your letter, having interrogated him, for what raison he had gone to Cumberland River to commit any depredations, knowing it was a place where only resided our friends and Brothers. He returned for answer, that for above those two years past, he had not gone from this place, only to go a Hunting and then he never went out of the Jurisdiction of this post. His raison for so doing was, that he might have no dispute with any person, and live in tranquillity with the world in General, but at the same time was not Ignorant that some of his Nation had done mischief, particularly at Cumberland, but those Indians did not live under the Government of this place, it was a band

of Delewares Settled on the other side of the Mississippi upon a small River, he also mentioned the Indian that headed the party, he is commonly called by the name of the great Capot. This I believe from the sincerety of Raccoon's answers to my interrogations. Nevertheless, I made him promise by the name of his Catholic Majesty my Master, that he shall live in friendship with everyone that is at peace with his Majesty's Subjects, and in consequence ought to take many citizens of the United States by the hand, as it was my particular desire which he should observe with punctuality.

Notwithstanding these injunctions to Raccoon, I ordered him two Chiefs, the one a Shawanee, the other a Cherokee, which has promised the same as the other had done, but as an Indian, is not to be depended on, it is necessary to be on your guard, as I cannot be responsible for their conduct when away from this place.

I have been informed that a certain Mr. Morris and some other citizens of the United States has stole horses from the Indians at different times. Most probably those men have been the means of exciting the Indians to do the same thing. The said Morris has also tasted the fruits of his Robberies. He passed here last fall on his way to New Orleans having almost lost the use of his right leg, owing to two wounds he received by the Indians when a hunting, besides the loss of all his property.

You may be assured that all Indians that come to this place of whatever nation they may be, I will do my indeavours to keep them peaceable and make them promise to live in peace and friendship with the citizens of the United States.

Should they have any complaint against said citizens, I will write on that subject, in consequence of the offer you make to me; as it may be the means of rendering justice to both parties.

I have a thorough sensibility of the honor you confer on me, in desiring a continuation of my correspondence, to which I submit with the greatest pleasure; at the same time you will excuse any omission I may have made in this.

I request it as a favour, if you should choose to come and pass some days in this solitary place, it will give me the great-

est pleasure, to receive you into my Lodging where you may expect every good reception due to your merit.

I have wrote you in the language of your Nation, my reason is having more confidence in the person that writes it, than in anyone have that writes the French.

I am Sir with Esteem your most
Obdt & very Humble Servt,
TOMAS CORTELL.

General
James Robertson.

[Copy of a letter from Dr. Thos. Cortell Commanding officer for his most Catholic Majesty at New Madrid to Mr. Andrew Fagot at Nashville, May 7th 1792.]

Sir, I received your favour bearing date, the 13th, February last, wherein you mention the depredations committed by the Indians, supposed to be Shawanos and Delewares. If it is them, I assure you it has never come to my knowledge, I have called in the chiefs and spoke to them on that head, which they all deny, but lays the blame on another band of their nation that lives on the other side of the Mississippi a great distance from this post and entirely out of my command. Such acts of inhuman cruelty touches me most sensibly. It has always been my study to use every method with the Indians to keep them quiet. This I look upon myself oblig'd to by the ties of humanity, as also the duty I owe to mankind in general. Every influence that I am possessed of with regard to the Indians shall be applied to keep them from committing ravages upon the peaceable inhabitants of Cumberland. But you know all I can do is only by the force of persuasion, as they are not subjected to any laws. I thank you most kindly for your attention. If I can be of any utility to you in this place you may freely command me.

I am Sir your
Most obedt humb. Servt,
THOMAS CORTELL.

Mr. Fagot.

[From Gov. Blount on a fiscal matter.]

MAY 8th, 1792.

Should Mr. McCabe need money to bear expenses as I am able just now to give him but little and my Merchant will advance it to him, I will pay his Bills on Sight and I suppose any Merchant will do it, as they will all send them Money through the Wilderness for Philadelphia.

I am

Your obt Servt,

WM. BLOUNT.

Gen. Robertson.

EDITORIAL NOTES.

"The Pedigree of the Polk Family" has been unavoidably omitted from this issue. The manuscript has been withdrawn for the purpose of incorporating some additional information recently obtained by the author. It will be continued in the January, 1897, number.

The July number of the *William and Mary College Quarterly Historical Magazine* is full of valuable and interesting reading. This excellent magazine is largely devoted to genealogy, and is tracing many of the old Virginia families. It contains extracts from the "Journal of the Meetings of the President and Masters of William and Mary College," and other matter, "quaint and curious." Its editor, Mr. Lyon G. Tyler, President of William and Mary College, is doing a work which is of special interest not only to Virginians, but also to the descendants of Virginia families, now so widely scattered, and is, likewise, of great value to all students of history.

A curious and interesting manuscript is the Diary of John Lipscomb, a merchant of Halifax, N. C., who emigrated to Tennessee, and settled in Williamson County in 1784. This manuscript was presented to the Tennessee Historical Society October, 1891, by Mr. James D. Park. Much of the original manuscript is illegible, and leaves are missing in many places. A copy of portions of this diary has been made by the Secretary, Mr. John M. Bass, and is transcribed in a bound volume. The diary gives the events of the journey of an emigrant party who traveled by way of Cumberland Gap through the southern part of Kentucky. It records the adventures, buffalo hunts, and deer hunts, and the means used to supply the party with subsistence on the way. It recounts some rough jokes on fellow travelers, and gives a vivid picture of frontier life. It was evidently not intended for publication, and like

other diaries of the period, remained in seclusion among the family papers, until rescued from oblivion by Mr. Park. Extracts from this diary will be given in future issues of this Magazine.

A very interesting book recently published by the Robert Clarke Company, Cincinnati, Ohio, is *The Life of Gen. Nathaniel Massie*. This book is written by David Massie, a descendant of Gen. Massie. It is a work of unusual interest, giving an account of the settlement of the Virginia Military District, which covered about one-sixth of the area of the present State of Ohio. The leading pioneer in this settlement was Gen. Nathaniel Massie, who founded Manchester and Chillicothe.

The contests between Gen. Massie, and Governor St. Clair for political control of the territory, and which finally resulted in winning Ohio to the political party of Jefferson, and its admission as a State in 1802, are told in a manner which illustrates the conflict between the Federalist and Republican parties for control of the new State. Three Virginians, Thomas Worthington, afterwards United States Senator, and Governor of Ohio, Judge Charles Willing Byrd, and Gen. Nathaniel Massie, were the Southern leaders. Their contests with St. Clair, and their political victory have never before been adequately related. The following extract from the work is interesting, as it shows the feeling in 1802 which was developed in the debate and vote of the constitutional convention on the clause for permitting negro suffrage. This clause was finally lost by the casting vote of the chairman, the vote of the Convention being seventeen ayes to seventeen noes.

"This Convention was controlled by men from the slave-holding States of Virginia and Kentucky, yet we find them badly divided on this question. One of their leaders, Charles Willing Byrd, a Virginian of the Virginians, standing steadily for the right of the negro to vote. On the other hand, Messrs. Huntington, of Trumbull County, and McIntire, of Washington County, scions of New England stock, were with Massie and Worthington against negro suffrage."

The Fourth Volume of Mr. Theodore Roosevelt's great work, *The Winning of the West*, has been recently issued by G. P. Putnam's Sons, New York, 27 West Twenty-third Street.

This volume is devoted to *Louisiana and the Northwest*, and extends from 1791 to 1807. It is in keeping with the previous volumes, which have been so interesting to the general reader, and so valuable to the student of history.

Skillfully preserving the charm of entertaining narration, illustrated by graphic pictures of pioneer life and character, the discussion of the political and social questions involved, glides naturally and gracefully along the current of the narrative. The author has, thus, given to the public the most entertaining, instructive, and philosophical treatise which has been presented by any writer who has treated the subject.

The author's opinions, expressed freely and frankly, are always clear, sometimes emphatic, but never bitter; thus giving to his work the tone of candor, and judicial fairness, which attracts confidence and respect. Like all who announce positive opinions, he expresses sentiments from which some of his readers must dissent. For instance, those who believe that Thomas Jefferson was the most profound political philosopher, and the most skillful party leader that America has ever produced, cannot concur in the estimate which Mr. Roosevelt places upon him, and upon his public acts.

Yet, the discussion, upon the whole, is so admirable and frank, that the admirer of Jefferson, will arise from the perusal with undiminished esteem for Jefferson—and for the author.

The Economic History of Virginia in the Seventeenth Century, by Philip Alexander Bruce, recently issued by Macmillan & Co., is the most remarkable of recent historical publications.

It is an "inquiry into the material condition of the people, based upon original and contemporaneous records." It treats of such topics as the following:

The Reasons for the Colonization, Indian Economy, Agricultural Development, Acquisition of title to Land, System of Labor, Domestic Economy of the Planter, Relative value of Estates, Manufactured Supplies, Money, The Town.

The originality of Mr. Bruce's conception, and the excellence of its execution, have lifted his work out of the ordinary ruts of historical composition, and have made it truly what its name imports, an Economic History.

The work has everywhere been received with strong commendation, and is not only an entertaining and instructive book, but is, also, a monument to the research and scholarship of the author.

Among the most valued of our exchanges are the publications of the Bureau of Ethnology. The 13th Annual Report of this Bureau to the Secretary of the Smithsonian Institution by J. W. Powell, Director, issued from the Government Printing Office, at Washington, 1896, is an admirable report. It gives a sketch of the operations of the Bureau, together with illustrated articles on Ethnological topics, prepared by experts. Among these articles are:

Prehistoric Textile Art of Eastern United States by William Henry Holmes.

Stone Art, by Gerard Fowke.

Aboriginal Remains in Verde Valley, Arizona, by Cosmos Mindeleff.

Omaha Dwellings, Furniture, and Implements, by J. Owen Dorsey.

Casa Grande Ruins, by Cosmos Mindeleff.

Outlines of Zuni Creation Myths, by Frank Hamilton Cushing.

An excellent treatise, entitled *The Government of the People of the State of Tennessee*, by T. C. Karns, A. M., Professor of Philosophy and Pedagogics, University of Tennessee, has recently been published by Eldridge & Brother, Philadelphia.

This book is intended as a text-book for the use of schools, and is well suited for the purpose. It will, also, be valuable to the citizens of Tennessee not only as affording reading matter of interest, but also as an accurate, reliable, and convenient reference book on points connected with State Government.

The book bears evidence throughout of the research, good judgment, and scholarship of its accomplished author.

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No. 1.

KU KLUX KLAN.

Hon. J. L. Percy, of Nashville, Tenn., is the possessor of one of the original pamphlets, issued by the Ku Klux Klan, in 1868, entitled "Revised and Amended Prescript of the Order of the

* * *

REVISED AND AMENDED

PRESCRIPT

OF THE

ORDER

OF THE

*
* * *

Damnant quod non intelligunt.

APPELLATION.

THIS Organization shall be styled and denominated, the Order of the * * *.

CREED.

WE, the Order of the * * *, reverentially acknowledge the majesty and supremacy of the Divine Being, and recognize the goodness and providence of the same. And we recognize our relation to the United States Government, the supremacy of the Constitution, the Constitutional Laws thereof, and the Union of States thereunder.

Mr. Percy was U. S. Consul to Colon during the administration of President Cleveland, and is now resident in South America. During a recent visit to Nashville, he placed at the disposal of this Magazine the original pamphlet, of which the above is an exact copy, being printed from plates obtained by photographic process. Mr. Laps D. McCord, of Nashville, Tenn., who assisted in printing the original prescript in 1868, makes the following statement:

CERTIFICATE OF LAPS D. M'CORD.

This is an exact copy of the original prescript printed in the office of the Pulaski (Tenn.) Citizen, L. W. McCord, Prop., in 1868. I was a printer boy, and with Jno. H. Kirk, the father of Rev. Harry Kirk, recently of Nashville, set the type. My brother, L. W. McCord, received a communication one day, delivered to him by means of a hole in the wall near the door, in which the Ku Klux deposited all their communications for the paper, asking for an estimate for printing this pamphlet, describing it. He delivered his reply in the same hole, and the following morning the copy in full, the money, and minute directions as to the disposition of the books when completed, were in the hole. We did it all under the seal of secrecy and concealment, hiding the galleys

CHARACTER AND OBJECTS OF THE ORDER.

THIS is an institution of Chivalry, Humanity, Mercy, and Patriotism; embodying in its genius and its principles all that is chivalric in conduct, noble in sentiment, generous in manhood, and patriotic in purpose; its peculiar objects being

First: To protect the weak, the innocent, and the defenceless, from the indignities, wrongs, and outrages of the lawless, the violent, and the brutal; to relieve the injured and oppressed; to succor the suffering and unfortunate, and especially the widows and orphans of Confederate soldiers.

Second: To protect and defend the Constitution of the United States, and all laws passed in conformity thereto, and to protect the States and the people thereof from all invasion from any source whatever.

Third: To aid and assist in the execution of all constitutional laws, and to protect the people from unlawful seizure, and from trial except by their peers in conformity to the laws of the land,

ARTICLE I.

TITLES.

SECTION 1. The officers of this Order shall consist of a Grand Wizard of the Empire, and his ten Genii; a Grand Dragon of the Realm,

3

of type as they were set up, and stitched them with our own hands in a back room over Shapard's store, and trimmed them with a shoe knife on the floor. When finished they were tied into a bundle and deposited late at night just outside the office door, whence they were immediately taken by unseen hands. I knew personally all the originators of the Ku Klux Klan, and the history of its origin, its deeds, purposes, and accomplishments.

LAPS D. McCORD.

No other copy of this original pamphlet is known to exist.

It will be noted that it is entitled "Revised and Amended Prescript," which would seem to imply that there had been some previous prescript. If such ever existed, no trace of it can now be found; either in manuscript or in print.

In 1884, a pamphlet of 117 pages, written by John C. Lester and D. S. Wilson, entitled "Ku Klux Klan. Its Origin, Growth,

4 *Nec scire fas est omnia.*

and his eight Hydras; a Grand Titan of the Dominion, and his six Furies; a Grand Giant of the Province, and his four Goblins; a Grand Cyclops of the Den, and his two Night-hawks; a Grand Magi, a Grand Monk, a Grand Scribe, a Grand Exchequer, a Grand Turk, and a Grand Sentinel.

SEC. 2. The body politic of this Order shall be known and designated as "Ghouls."

ARTICLE II.

TERRITORY AND ITS DIVISIONS.

SECTION 1. The territory embraced within the jurisdiction of this Order shall be coterminous with the States of Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Missouri, Kentucky, and Tennessee; all combined constituting the Empire.

SEC. 2. The Empire shall be divided into four departments, the first to be styled the Realm, and coterminous with the boundaries of the several States; the second to be styled the Dominion, and to be coterminous with such counties as the Grand Dragons of the several Realms may assign to the charge of the Grand Titan. The third to be styled the Province, and to be coterminous with the several counties; *provided*, the Grand Titan may, when he deems it necessary, assign two Grand Giants to one Province, prescribing, at the same time, the jurisdiction of

and Disbandment," was published by the Wheeler Publishing Company, of Nashville, Tenn. Later, when the Wheeler Publishing Company went out of business, the few remaining copies of this pamphlet were purchased by the Goodpasture Book Company, of Nashville.

Both the authors of this pamphlet were residents of Pulaski, Tenn., in 1866, at which place and time this remarkable order was organized. They had ample opportunity to know the facts. They were both men of strong Southern sympathy. Even if it should be suspected by the reader that their judgment was biased in matters of opinion, their high character and strict integrity en-

Amici humani generis.

5

each. The fourth department to be styled the Den, and shall embrace such part of a Province as the Grand Giant shall assign to the charge of a Grand Cyclops.

ARTICLE III.
POWERS AND DUTIES OF OFFICERS.
GRAND WIZARD.

SECTION 1. The Grand Wizard, who is the supreme officer of the Empire, shall have power, and he shall be required to, appoint Grand Dragons for the different Realms of the Empire; and he shall have power to appoint his Genii, also a Grand Scribe, and a Grand Exchequer for his Department. and he shall have the sole power to issue copies of this Prescript, through his subalterns, for the organization and dissemination of the Order; and when a question of paramount importance to the interests or prosperity of the Order arises, not provided for in this Prescript, he shall have power to determine such question, and his decision shall be final until the same shall be provided for by amendment as hereinafter provided. It shall be his duty to communicate with, and receive reports from, the Grand Dragons of Realms, as to the condition, strength, efficiency, and progress of the Order within their respective Realms. And it shall further be his duty to keep, by his Grand Scribe, a list of the names (without any caption or explanation whatever) of the Grand Dragons of the different Realms of the Empire, and shall

title their testimony to absolute credit in matters of fact. In addition to this, their statements of the origin of the Klan have never been disputed, and are corroborated by circumstantial evidence, and by the universal belief of the people of Pulaski.

These authors make no mention of any prescript previous to 1867. They explain that in 1867 the Klan entered on the second stage, or the political stage, of its career. They describe how a general convention of the order was held at Nashville in the summer of 1867, right in the midst of the hostile State and Federal authorities, and was so secretly and adroitly conducted as to escape detection, or even suspicion. It is probable that the

6 *Quemcumque miserum videris, hominem scias.*

number such Realms with the Arabic numerals 1, 2, 3, etc., *ad finem*; and he shall direct and instruct his Grand Exchequer as to the appropriation and disbursement he shall make of the revenue of the Order that comes to his hands.

GRAND DRAGON.

SEC. 2. The Grand Dragon, who is the chief officer of the Realm, shall have power, and he shall be required, to appoint and instruct a Grand Titan for each Dominion of his Realm, (such Dominion not to exceed three in number for any Congressional District) said appointments being subject to the approval of the Grand Wizard of the Empire. He shall have power to appoint his Hydras; also, a Grand Scribe and a Grand Exchequer for his Department.

It shall be his duty to report to the Grand Wizard, when required by that officer, the condition, strength, efficiency, and progress of the Order within his Realm, and to transmit, through the Grand Titan, or other authorized sources, to the Order, all information, intelligence, or instruction conveyed to him by the Grand Wizard for that purpose, and all such other information or instruction as he may think will promote the interest and utility of the Order. He shall keep by his Grand Scribe, a list of the names (without caption) of the Grand Titans of the different Dominions of his Realm, and shall report the same to the Grand Wizard when required, and shall number the Domin-

prescript above given was either adopted at this convention or was subsequently prepared by an authorized committee and sent to Pulaski to be secretly printed for the use of the order. If any previous prescript was ever adopted, it was probably never printed, but was promulgated orally from a single manuscript. Diligent investigation has failed to discover any manuscript of the order, or to elicit any information as to a previous prescript.

No trace can be found of a published ritual.

It may be inferred from the "*Interdiction*," Article IX., of the above prescript, that publication of the ritual and secret work had always been forbidden, and the prohibition was formulated and

Magna est veritas, et prevalebit.

7

ion of his Realm with the Arabic numerals 1, 2, 3, etc., *ad finem*. And he shall direct and instruct his Grand Exchequer as to the appropriation and disbursement he shall make of the revenue of the Order that comes to his hands.

GRAND TITAN.

SEC. 3. The Grand Titan, who is the chief officer of the Dominion, shall have power, and he shall be required, to appoint and instruct a Grand Giant for each Province of his Dominion, such appointments, however, being subject to the approval of the Grand Dragon of the Realm. He shall have the power to appoint his Furies; also, a Grand Scribe and a Grand Exchequer for his Department. It shall be his duty to report to the Grand Dragon when required by that officer, the condition, strength, efficiency, and progress of the Order within his Dominion, and to transmit through the Grand Giant, or other authorized channels, to the Order, all information, intelligence, instruction or directions conveyed to him by the Grand Dragon for that purpose, and all such other information or instruction as he may think will enhance the interest or efficiency of the Order.

He shall keep, by his Grand Scribe, a list of the names (without caption or explanation) of the Grand Giants of the different Provinces of his Dominion, and shall report the same to the Grand Dragon when required; and shall num-

continued in force by the "*Interdiction*." Possibly the laws and regulations previous to the convention of 1867 had been under a similar "*Interdiction*," and had been promulgated orally. No certain information seems attainable on this point.

Investigation is likewise foiled in the effort to obtain the original manuscript of any written order issued by any officer of the Klan, although it is known that such orders were issued. Some of these orders were mandatory, and secretly distributed to the Klan; others were explanatory, and were addressed to the public. The latter were sent to the newspapers, under official signature, but personally anonymous.

ber the Provinces of his Dominion with the Arabic numerals 1, 2, 3, etc., *ad finem*. And he shall direct and instruct his Grand Exchequer as to the appropriation and disbursement he shall make of the revenue of the Order that comes to his hands.

GRAND GIANT.

SEC. 4. The Grand Giant, who is the chief officer of the Province, shall have power, and he is required, to appoint and instruct a Grand Cyclops for each Den of his Province, such appointments, however, being subject to the approval of the Grand Titan of the Dominion. And he shall have the further power to appoint his Goblins; also, a Grand Scribe and a Grand Exchequer for his Department.

It shall be his duty to supervise and administer general and special instructions in the organization and establishment of the Order within his Province, and to report to the Grand Titan, when required by that officer, the condition, strength, efficiency, and progress of the Order within his Province, and to transmit through the Grand Cyclops, or other legitimate sources, to the Order, all information, intelligence, instruction, or directions conveyed to him by the Grand Titan or other higher authority for that purpose, and all such other information or instruction as he may think would advance the purposes or prosperity of the Order. He shall keep, by his Grand Scribe, a list of the names (without cap-

The following order is quoted by Lester and Wilson in the work heretofore mentioned, but without citation of authority. It is, doubtless, authentic:

HEADQUARTERS REALM NO. 1.

DREADFUL ERA, BLACK EPOCH,

General Order No. 1.

DREADFUL HOUR.

WHEREAS, Information of an authentic character has reached these headquarters that the blacks in the counties of Marshall, Maury, Giles, and Lawrence are organized into military companies, with the avowed purpose to make war upon and exterminate the Ku Klux Klan, said blacks are hereby solemnly

Quid faciendum?

9

tion or explanation) of the Grand Cyclops of the various Dens of his Province, and shall report the same to the Grand Titan when required; and shall number the Dens of his Province with the Arabic numerals 1, 2, 3, etc., *ad finem*. He shall determine and limit the number of Dens to be organized and established in his Province; and he shall direct and instruct his Grand Exchequer as to the appropriation and disbursement he shall make of the revenue of the Order that comes to his hands.

GRAND CYCLOPS.

SEC. 5. The Grand Cyclops, who is the chief officer of the Den, shall have power to appoint his Night-hawks, his Grand Scribe, his Grand Turk, his Grand Exchequer, and his Grand Sentinel. And for small offenses he may punish any member by fine, and may reprimand him for the same. And he is further empowered to admonish and reprimand his Den, or any of the members thereof, for any imprudence, irregularity, or transgression, whenever he may think that the interests, welfare, reputation or safety of the Order demand it. It shall be his duty to take charge of his Den under the instruction and with the assistance (when practicable) of the Grand Giant, and in accordance with and in conformity to the provisions of this Prescript—a copy of which shall in all cases be obtained before the formation of a Den begins. It shall

warned and ordered to desist from further action in such organizations, if they exist.

The G. D. (Grand Dragon) regrets the necessity of such an order. But this Klan shall not be outraged and interfered with by lawless negroes and meaner white men, who do not and never have understood our purposes.

In the first place this Klan is not an institution of violence, lawlessness and cruelty; it is not lawless; it is not aggressive; it is not military; it is not revolutionary.

It is, essentially, originally and inherently a protective organization. It proposes to execute law instead of resisting it; and to protect all good men, whether white or black, from the outrages

10

Fiat justitia ruat cælum.

further be his duty to appoint all regular meetings of his Den, and to preside at the same; to appoint irregular meetings when he deems it expedient; to preserve order and enforce discipline in his Den; to impose fines for irregularities or disobedience of orders; and to receive and initiate candidates for admission into the Order, after the same shall have been pronounced competent and worthy to become members, by the Investigating Committee herein after provided for. And it shall further be his duty to make a quarterly report to the Grand Giant of the condition, strength, efficiency, and progress of his Den, and shall communicate to the Officers and Ghoul's of his Den, all information, intelligence, instruction, or direction, conveyed to him by the Grand Giant or other higher authority for that purpose; and shall from time to time administer all such other counsel, instruction or direction, as in his sound discretion, will conduce to the interests, and more effectually accomplish, the real objects and designs of the Order.

GRAND MAGI.

SEC. 6. It shall be the duty of the Grand Magi, who is the second officer in authority of the Den, to assist the Grand Cyclops, and to obey all the orders of that officer; to preside at all meetings in the Den, in the absence of the Grand Cyclops; and to discharge during his absence all the duties and exercise all the powers and authority of that officer.

and atrocities of bad men of both colors, who have been for the past three years a terror to society, and an injury to us all.

The blacks seem to be impressed with the belief that this Klan is especially their enemy. We are not the enemy of the blacks, as long as they behave themselves, make no threats upon us, and do not attack or interfere with us.

But if they make war upon us they must abide the awful retribution that will follow.

This Klan, while in its peaceful movements, and disturbing no one, has been fired into three times. This will not be endured

Dormitus aliquando jus, moritus nunquam. 11

GRAND MONK.

SEC. 7. It shall be the duty of the Grand Monk, who is the third officer in authority of the Den, to assist and obey all the orders of the Grand Cyclops and the Grand Magi; and, in the absence of both of these officers, he shall preside at and conduct the meetings in the Den, and shall discharge all the duties, and exercise all the powers and authority of the Grand Cyclops.

GRAND EXCHEQUER.

SEC. 8. It shall be the duty of the Grand Exchequers of the different Departments to keep a correct account of all the revenue of the Order that comes to their hands, and of all paid out by them; and shall make no appropriation or disbursement of the same except under the orders and direction of the chief officer of their respective Departments. And it shall further be the duty of the Exchequers of Dens to collect the initiation fees, and all fines imposed by the Grand Cyclops, or the officer discharging his functions.

GRAND TURK.

SEC. 9. It shall be the duty of the Grand Turk, who is the executive officer of the Grand Cyclops, to notify the Officers and Ghouls of the Den, of all informal or irregular meetings appointed by the Grand Cyclops, and to obey and execute all the orders of that officer in the control and government of his Den. It shall further be his duty to receive and question at the out-

any longer; and if it occurs again, and the parties be discovered, a remorseless vengeance will be wreaked upon them.

We reiterate that we are for peace and law and order. No man, white or black, shall be molested for his political sentiments. This Klan is not a political party; it is not a military party; it is a protective organization, and will never use violence except in resisting violence.

Outrages have been perpetrated by irresponsible parties in the name of this Klan. Should such parties be apprehended, they will be dealt with in a manner to insure us future exemption from such imposition. These impostors have, in some instances,

12

Quæta non movere.

posts, all candidates for admission into the Order, and shall *there* administer the preliminary obligation required, and then to conduct such candidate or candidates to the Grand Cyclops, and to assist him in the initiation of the same.

GRAND SCRIBE.

SEC. 10. It shall be the duty of the Grand Scribes of the different Departments to conduct the correspondence and write the orders of the Chiefs of their Departments, when required. And it shall further be the duty of the Grand Scribes of Dens, to keep a list of the names (without any caption or explanation whatever) of the Officers and Ghouls of the Den, to call the roll at all meetings, and to make the quarterly reports under the direction and instruction of the Grand Cyclops.

GRAND SENTINEL

SEC. 11. It shall be the duty of the Grand Sentinel to take charge of post, and instruct the Grand Guard, under the direction and orders of the Grand Cyclops, and to relieve and dismiss the same when directed by that officer.

THE STAFF.

SEC. 12. The Genii shall constitute the staff of the Grand Wizard; the Hydras, that of the Grand Dragon; the Furies, that of the Grand Titan; the Goblins, that of the Grand Giant; and the Night-hawks, that of the Grand Cyclops.

whipped negroes. This is wrong! wrong! It is denounced by this Klan as it must be by all good and humane men.

The Klan now, as in the past, is prohibited from doing such things. We are striving to protect all good, peaceful, well-disposed and law-abiding men, whether white or black.

The G. D. deems this order due to the public, due to the Klan, and due to those who are misguided and misinformed. We, therefore, request that all newspapers who are friendly to law, and peace, and the public welfare, will publish the same.

By order of the G. D., Realm No. 1.

By the Grand Scribe.

REMOVAL.

SEC. 13. For any just, reasonable and substantial cause, any appointee may be removed by the authority that appointed him, and his place supplied by another appointment.

ARTICLE IV

ELECTION OF OFFICERS.

SECTION 1. The Grand Wizard shall be elected biennially by the Grand Dragons of Realms. The first election for this office to take place on the 1st Monday in May, 1870, (a Grand Wizard having been created, by the original Prescript, to serve three years from the 1st Monday in May, 1867); all subsequent elections to take place every two years thereafter. And the incumbent Grand Wizard shall notify the Grand Dragons of the different Realms, at least six months before said election, at what time and place the same will be held; a majority vote of all the Grand Dragons *present* being necessary and sufficient to elect a Grand Wizard. Such election shall be by ballot, and shall be held by three Commissioners appointed by the Grand Wizard for that purpose; and in the event of a tie, the Grand Wizard shall have the casting-vote.

SEC. 2. The Grand Magi and the Grand Monk of Dens shall be elected annually by the Ghouls of Dens; and the first election for these officers may take place as soon as ten Ghouls have been initiated for the formation of a Den. All subse-

Lester and Wilson also cite the final order of the Grand Wizard, disbanding the Klan in March, 1869. The authors, however, do not quote from this order, but merely give a synopsis of it. Below is quoted the last chapter of Lester and Wilson's pamphlet, in which they give an account of the final disbandment of the Ku Klux Klan:

"DISBANDMENT.

"On the 20th day of February, 1869, Gov. Brownlow resigned his position as Governor to take the seat in the United States Senate, to which he had been elected. The last paper to which

14

Art est osare artem.

quent elections to take place every year thereafter.

SEC. 3. In the event of a vacancy in the office of Grand Wizard, by death, resignation, removal, or otherwise, the senior Grand Dragon of the Empire shall immediately assume and enter upon the discharge of the duties of the Grand Wizard, and shall exercise the powers and perform the duties of said office until the same shall be filled by election; and the said senior Grand Dragon, as soon as practicable after the happening of such vacancy, shall call a convention of the Grand Dragons of Realms, to be held at such time and place as in his discretion he may deem most convenient and proper. *Provided*, however, that the time for assembling such Convention for the election of a Grand Wizard shall in no case exceed six months from the time such vacancy occurred; and in the event of a vacancy in any other office, the same shall immediately be filled in the manner herein before mentioned.

SEC. 4. The Officers heretofore elected or appointed may retain their offices during the time for which they have been so elected or appointed, at the expiration of which time said offices shall be filled as herein-before provided.

ARTICLE V

JUDICIARY.

SECTION 1. The Tribunal of Justice of this Order shall consist of a Court at the Head-quar-

he affixed his signature as Governor of Tennessee, proclaimed martial law in certain counties, and ordered troops to be sent thither.

"This proclamation was dated February 20, 1869. In a short while it was followed by a proclamation from the 'Grand Wizard of the Invisible Empire' to his subjects.

"This proclamation recited the legislation directed against the Klan, and stated that the order had now, in large measure accomplished the objects of its existence. At a time when the civil law afforded inadequate protection to life and property, when robbery and lawlessness of every description were unre-

ters of the Empire, the Realm, the Dominion, the Province, and the Den, to be appointed by the Chiefs of these several Departments.

SEC. 2. The Court at the Head-quarters of the Empire shall consist of three Judges for the trial of Grand Dragons, and the Officers and attachés belonging to the Head-quarters of the Empire.

SEC. 3. The Court at the Head-quarters of the Realm shall consist of three Judges for the trial of Grand Titans, and the Officers and attachés belonging to the Head-quarters of the Realm.

SEC. 4. The Court at the Head-quarters of the Dominion shall consist of three Judges for the trial of Grand Giants, and the Officers and attachés belonging to the Head-quarters of the Dominion.

SEC. 5. The Court at the Head-quarters of the Province shall consist of five Judges for the trial of Grand Cyclops, the Grand Magis, Grand Monks, and the Grand Exchequers of Dens, and the Officers and attachés belonging to the Head-quarters of the Province.

SEC. 6. The Court at the Head-quarters of the Den shall consist of seven Judges appointed from the Den for the trial of Ghouls and the officers belonging to the Head-quarters of the Den.

SEC. 7. The Tribunal for the trial of the Grand Wizard shall be composed of at least seven Grand Dragons, to be convened by the senior Grand Dragon upon charges being preferred against the

buked, when all the better elements of society were in constant dread for the safety of their property, persons and families, the Klan had afforded protection and security to many firesides, and, in many ways contributed to the public welfare. But greatly to the regret of all good citizens, some members of the Klan had violated positive orders: others, under the name and disguises of the organization, had assumed to do acts of violence, for which the Klan was held responsible. The Grand Wizard had been invested with the power to determine questions of paramount importance to the interests of the order. Therefore, in the exercise of that power, the Grand Wizard declared that the organi-

16

Fide non armis.

Grand Wizard; which Tribunal shall be organized and presided over by the senior Grand Dragon *present*; and if they find the accused guilty, they shall prescribe the penalty, and the senior Grand Dragon of the Empire shall cause the same to be executed.

SEC. 8. The aforesaid Courts shall summon the accused and witnesses for and against him, and if found guilty, they shall prescribe the penalty, and the Officers convening the Court shall cause the same to be executed. *Provided* the accused shall always have the right of appeal to the next Court above, whose decision shall be final.

SEC. 9. The Judges constituting the aforesaid Courts shall be selected with reference to their intelligence, integrity, and fair-mindedness, and shall render their verdict without prejudice, favor, partiality, or affection, and shall be so sworn, upon the organization of the Court; and shall further be sworn to administer even-handed justice.

SEC. 10. The several Courts herein provided for shall be governed in their deliberations, proceedings, and judgments by the rules and regulations governing the proceedings of regular Courts-martial.

ARTICLE VI.

REVENUE.

SECTION 1. The revenue of this Order shall be derived as follows: For every copy of this Pre-

zation heretofore known as the Ku Klux Klan was dissolved and disbanded.

"Members were directed to burn all regalia and paraphernalia of every description, and to desist from any further assemblies or acts as Ku Klux. The members of the Klan were counseled in the future as heretofore, to assist all good people of the land in maintaining and upholding the civil laws, and in putting down lawlessness. This proclamation was directed to all Realms, Dominions, Provinces, and 'Dens' in 'the Empire.' It is reasonably certain that there were portions of the Empire never reached by it. The Klan was widely scattered, and the facilities for com-

!Dax Deus his quoque fiam. 17

script issued to Dens, \$10 will be required; \$2 of which shall go into the hands of the Grand Exchequer of the Grand Giant, \$2 into the hands of the Grand Exchequer of the Grand Titan, \$2 into the hands of the Grand Exchequer of the Grand Dragon, and the remaining \$4 into the hands of the Grand Exchequer of the Grand Wizard.

SEC. 2. A further source of revenue to the Empire shall be ten per cent. of all the revenue of the Realms, and a tax upon Realms when the Grand Wizard shall deem it necessary and indispensable to levy the same.

SEC. 3. A further source of revenue to Realms shall be ten per cent. of all the revenue of Dominions, and a tax upon Dominions when the Grand Dragon shall deem it necessary and indispensable to levy the same.

SEC. 4. A further source of revenue to Dominions shall be ten per cent. of all the revenue of Provinces, and a tax upon Provinces when the Grand Giant shall deem such tax necessary and indispensable.

SEC. 5. A further source of revenue to Provinces shall be ten per cent. of all the revenue of Dens, and a tax upon Dens when the Grand Giant shall deem such tax necessary and indispensable.

SEC. 6. The source of revenue to Dens shall be the initiation fees, fines, and a *per capita* tax, whenever the Grand Cyclops shall deem such

munication exceedingly poor. The Grand Wizard was a citizen of Tennessee. Under the statute just now quoted newspapers were forbidden to publish anything emanating from the Klan. So that there was no way in which this proclamation could be generally disseminated.

"Where it was promulgated, obedience to it was prompt and implicit.

"Whether obeyed or not, this proclamation terminated the Klan's organized existence as decisively and completely as Gen. Lee's last general order, on the morning of the 10th of April, 1865, disbanded the army of Northern Virginia.

tax necessary and indispensable to the interests and objects of the Order.

SEC. 7. All the revenue obtained in the manner aforesaid, shall be for the *exclusive* benefit of the Order, and shall be appropriated to the dissemination of the same and to the creation of a fund to meet any disbursement that it may become necessary to make to accomplish the objects of the Order and to secure the protection of the same.

ARTICLE VII.

ELIGIBILITY FOR MEMBERSHIP.

SECTION 1. No one shall be presented for admission into the Order until he shall have first been recommended by some friend or intimate who is a member, to the Investigating Committee, (which shall be composed of the Grand Cyclops, the Grand Magi, and the Grand Monk,) and who shall have investigated his antecedents and his past and present standing and connections; and after such investigation, shall have pronounced him competent and worthy to become a member. *Provided*, no one shall be presented for admission into, or become a member of, this Order who shall not have attained the age of eighteen years.

SEC. 2. No one shall become a member of this Order unless he shall *voluntarily* take the following oaths or obligations, and shall *satisfactorily* answer the following interrogatories, while kneel -

"When the office of Grand Wizard was created and its duties defined, it was explicitly provided that he should have 'the power to determine questions of paramount importance, and his decision shall be final.' To continue the organization or to disband it was such a question. He decided in favor of disbanding, and so ordered. Therefore the Ku Klux Klan had no organized existence after March, 1869.

"The report of the Congressional Investigating Committee contains some disreputable history, which belongs to a later date, and is attributed to the Klan, but not justly so. For several years, after March, 1869, the papers reported and commented

Cave quid dicis, quando, et cui. 19.

ing, with his right hand raised to heaven, and his left hand resting on the Bible:

PRELIMINARY OBLIGATION.

"I —— solemnly swear or affirm that I will never reveal any thing that I may this day (or night) learn concerning the Order of the * * *, and that I will true answer make to such interrogatories as may be put to me touching my competency for admission into the same. So help me God."

INTERROGATORIES TO BE ASKED:

1st. Have you ever been rejected, upon application for membership in the * * *, or have you ever been expelled from the same?

2d. Are you now, or have you ever been, a member of the Radical Republican party, or either of the organizations known as the "Loyal League" and the "Grand Army of the Republic?"

3d. Are you opposed to the principles and policy of the Radical party, and to the Loyal League, and the Grand Army of the Republic, so far as you are informed of the character and purposes of those organizations?

4th. Did you belong to the Federal army during the late war, and fight against the South during the existence of the same?

5th. Are you opposed to negro equality, both social and political?

6th. Are you in favor of a white man's government in this country?

on 'Ku Klux outrages' committed at various points. The authors of these outrages may have acted in the name of the Klan, and under its disguises; it may be that in some cases they were men who had been Ku Klux. But it cannot be charged that they were acting by the authority of an order which had formally disbanded. They were acting on their own responsibility.

"Thus lived, so died, this strange order. Its birth was an accident; its growth was a comedy; its death a tragedy. It owed its existence wholly to the anomalous condition of social and civil affairs in the South during the years immediately succeeding the unfortunate contest in which so many brave men in blue and gray fell, martyrs to their convictions.

20

Nemo tenetur seipsum accusare.

7th. Are you in favor of Constitutional liberty, and a Government of equitable laws instead of a Government of violence and oppression?

8th. Are you in favor of maintaining the Constitutional rights of the South?

9th. Are you in favor of the re-enfranchisement and emancipation of the white men of the South, and the restitution of the Southern people to all their rights, alike proprietary, civil, and political?

10th. Do you believe in the inalienable right of self-preservation of the people against the exercise of arbitrary and unlicensed power?

If the foregoing interrogatories are satisfactorily answered, and the candidate desires to go further (after something of the character and nature of the Order has thus been indicated to him) and to be admitted to the benefits, mysteries, secrets and purposes of the Order, he shall then be required to take the following final oath or obligation. But if said interrogatories are not satisfactorily answered, or the candidate declines to proceed further, he shall be discharged, after being solemnly admonished by the initiating officer of the deep secrecy to which the oath already taken has bound him, and that the extreme penalty of the law will follow a violation of the same.

FINAL OBLIGATION.

"I —— of my own free will and accord, and in the presence of Almighty God, do solemnly swear or affirm, that I will never reveal to

"There never was, before or since, a period of our history when such an order could have lived. May there never be again!"

It is not the purpose of this publication either to censure or defend the Ku Klux Klan, or to enter upon any discussion of its merits or demerits.

It is the purpose to collect and publish such historical materials as may be gathered and authenticated for the use of historians, or for the information of the reader. These are presented without any comment except such as relates to their authenticity, and such citation of published works or sources of

Deo adjuvante, non timendum. 21

any one not a member of the Order of the * * *, by any intimation, sign, symbol, word or act, or in any other manner whatever, any of the secrets, signs, grips, pass-words, or mysteries of the Order of the * * *, or that I am a member of the same, or that I know any one who is a member; and that I will abide by the Prescript and Edicts of the Order of the * * *. So help me God."

The initiating officer will then proceed to explain to the new members the character and objects of the Order, and introduce him to the mysteries and secrets of the same; and shall read to him this Prescript and the Edicts thereof, or present the same to him for personal perusal.

ARTICLE VIII.

AMENDMENTS.

This Prescript or any part or Edicts thereof shall never be changed, except by a two-thirds vote of the Grand Dragons of the Realms, in convention assembled, and at which convention the Grand Wizard shall preside and be entitled to a vote. And upon the application of a majority of the Grand Dragons for that purpose, the Grand Wizard shall call and appoint the time and place for said convention; which, when assembled, shall proceed to make such modifications and amendments as it may think will promote the interest, enlarge the utility, and more thoroughly effectuate the purposes of the Order

information as may serve to aid those who desire to investigate the subject.

Without citing authority, it may be stated with absolute certainty, that the Klan was organized in 1866, at Pulaski, Tenn.; that it was disbanded in March, 1869, by order of the Grand Wizard; that it had two distinct phases of existence, being originated purely for purposes of amusement and subsequently being transformed into a band of regulators; that this transformation was formulated in the summer of 1867 at the convention at Nashville, and announced to the Klan in 1868 through the above prescript; that the Klan grew to be a widely extended Southern

ARTICLE IX.

INTERDICTION.

The origin, mysteries, and Ritual of this Order shall never be written, but the same shall be communicated orally.

ARTICLE X.

EDICTS.

1. No one shall become a member of a distant Den, when there is a Den established and in operation in his own immediate vicinity; nor shall any one become a member of any Den, or of this Order in any way, after he shall have been once rejected, upon application for membership.

2. No Den, or officer, or member, or members thereof, shall operate beyond their prescribed limits, unless invited or ordered by the proper authority so to do.

3. No member shall be allowed to take any intoxicating spirits to any meeting of the Den; nor shall any member be allowed to attend a meeting while intoxicated; and for every appearance at a meeting in such condition, he shall be fined the sum of not less than one nor more than five dollars, to go into the revenue of the Order.

4. Any member may be expelled from the Order by a majority vote of the Officers and Ghoulis of the Den to which he belongs; and if after such expulsion, such member shall assume any of the duties, regalia, or insignia of the Or-

partisan organization, and so continued until its final disbandment in March, 1869; that during its entire existence, although severe laws were enacted for the punishment of its members, and the most energetic efforts were made to detect them, yet no member of the Klan was ever detected and convicted.

In addition to the work of Lester and Wilson previously cited, the reader is referred to the article entitled "Reconstruction Period in Tennessee," by Prof. R. L. McDonnold, Vol. I., pp. 307-328 (Oct., 1896) of this Magazine. The reader who wishes to investigate will, of course, refer to such official documents as the Report of the Congressional Investigating Committee,

Nemo nos impune lacessit. 23

der, or in any way claim to be a member of the same, he shall be severely punished. His obligation of secrecy shall be as binding upon him after expulsion as before, and for any revelation made by him thereafter, he shall be held accountable in the same manner as if he were then a member.

5. Upon the expulsion of any member from the Order, the Grand Cyclops, or the officer acting in his stead, shall immediately report the same to the Grand Giant of the Province, who shall cause the fact to be made known and read in each Den of his Province, and shall transmit the same, through the proper channels, to the Grand Dragon of the Realm, who shall cause it to be published to every Den in his Realm, and shall notify the Grand Dragons of contiguous Realms of the same.

6. Every Grand Cyclops shall read, or cause to be read, this Prescript and these Edicts to his Den, at least once in every month; and shall read them to each new member when he is initiated, or present the same to him for personal perusal.

7. The initiation fee of this Order shall be one dollar, to be paid when the candidate is initiated and received into the Order.

8. Dens may make such additional Edicts for their control and government as they may deem requisite and necessary. *Provided*, no Edict shall be made to conflict with any of the provisions or Edicts of this Prescript.

the proclamations of Gov. Brownlow, the Acts of Tennessee during the Reconstruction Period, especially the Ku Klux law of 1868, etc.

Mr. Laps D. McCord, who assisted in printing the above prescript, has in preparation, or perhaps in press, a work which purports to give a complete history of the Klan.

The reader may exercise his ingenuity in trying to decipher the register. In this work the editor can give but little aid. It will be noted that the register is divided into four parts, and that Parts I. and III. contain each twelve words. Do the twelve words in each of these parts correspond to the *a.m.* and *p.m.* hours of the day?

24

Ad unum omnes.

9. The most profound and rigid secrecy concerning any and everything that relates to the Order, shall at all times be maintained.

10. Any member who shall reveal or betray the secrets of this Order, shall suffer the extreme penalty of the law.

ADMONITION.

Hush! thou art not to utter what I am; be-
think thee! it was our covenant!

REGISTER.

I.

- | | |
|---------------|-----------------|
| 1. Dismal, | 7. Painful, |
| 2. Mystic, | 8. Portentous, |
| 3. Stormy, | 9. Fading, |
| 4. Peculiar, | 10. Melancholy, |
| 5. Blooming, | 11. Glorious, |
| 6. Brilliant, | 12. Gloomy. |

II.

- | | | | |
|------------|--------------|---------------|------------|
| i. White, | ii. Green, | iii. Yellow, | iv. Amber, |
| v. Purple, | vi. Crimson, | vii. Emerald. | |

III.

- | | |
|---------------|---------------|
| 1. Fearful, | 7. Hideous, |
| 2. Startling, | 8. Frightful, |
| 3. Wonderful, | 9. Awful, |
| 4. Alarming, | 10. Horrible, |
| 5. Mournful, | 11. Dreadful, |
| 6. Appalling, | 12. Last. |

IV.

Cumberland.

L'ENVOI.

To the lovers of law and order, peace and justice, we send greeting; and to the shades of the venerated dead we affectionately dedicate the
Order of the * * *

Resurgamus.

It will, also, be noted that the first three parts, taken together contain thirty-one words; thus, providing a word for each day of the month. If this is intended for a key to chronological symbols, however, it fails to explain the term "Black Epoch," used in the heading of the order of the Grand Dragon of the Realm, quoted on page 6.

The Magazine would be pleased to receive from its readers a solution of the problem presented by this register.

SOUTHERN BOUNDARY LINE OF TENNESSEE.

[The following report of the select committee of the House of Representatives was submitted by the chairman, Mr. Foster, of Williamson, October 24, 1833. One thousand copies were ordered to be printed. Only one of these copies is now known to exist, which is deposited in the archives of the Tennessee Historical Society. This report contains matters of interest to the student of Tennessee History. It may, also, be found in the House Journal of 1833. The report of the Senate Committee on the same subject was submitted by the chairman, Mr. Moore, October 16, 1833. These journals are now rare, and are inaccessible to the general reader. The House report is, therefore, reproduced here.]

REPORT.

That, in every instance, the investigation and establishment of boundaries between adverse and conflicting claimants, dependant doubtful and conflicting testimony, and oftentimes rendered impracticable from the obliteration of time, is attended with difficulties; but when the termination of the question involves, in its issue, the exclusion of a right claimed by one of two separate communities, whose muniments of title frequently consist in self-originated testimonials, veiled in the obscurity of primitive ignorance, and that too effaced by the hand of intervening time, the difficulties and embarrassments become multiplied, and the attainment of truth—so essential to the distribution of justice—almost, if not altogether, impossible. At first, the ascertainment of the true southern boundary line of this State, and the legal disposition of the territory consequent upon that fact, would seem easy of accomplishment; but a historical retrospect of the original acquisition and possession of the controverted premises, the various mutations of title, acquired by conquest or treaty, and the final extinguishment of the aboriginal title to all the lands within the chartered limits of the State, encumber the disquisition and rightful disposition of the subject-matter with impediments hard to be surmounted.

While the controversy as to the right of soil shall be limited and confined to the respective claims of the States of Mississippi and Tennessee, the subject becomes clear, and can be determined upon well established principles, and irrefragable testimony,

in favor of the latter. From all the lights and authorities accessible to the committee, in the examination of the subject, they have been compelled to assume as correct, that the true southern boundary of this State extends to the 35th degree of north latitude, south; and that, as between Mississippi and Tennessee, notwithstanding former misconceptions of the true latitudinal line, all the land north of the 35th degree of north latitude, belongs and appertains to the State of Tennessee.

In conformity with the assumed proposition, the committee will advance to the consideration of this house, the principles, together with the authorities that have induced them to its adoption. To elucidate and confirm the correctness and truth of the position, a retrograde examination into the situation and condition of the country extending from the 36th degree of north latitude, south to the 29th degree, together with the method of its possession and subsequent appropriation, must be taken.

Up to the year 1663, the region contained within the above degrees of latitude, had been and was in the use, possession and enjoyment of various tribes of Indians, the date of whose ancestral dominion and usufruction extended to a period, in the computation of time, beyond the ken of correct historical research. Impelled by an insatiable cupidity, upon application, a company were invested with the *dominium utile*, by the then King of Britain, whose sole right consisted in power, of all the country extending north and eastward as far as the north end of Carrahtuke river, upon a straight westerly line to Wyonoahe creek, which lies within or about the degree of 36, 30 minutes, north latitude, and so west, in a direct line, as far as the south seas, and south and west as far as the degree of 29 inclusive, north latitude, and so west in a direct line as far as the south seas, which territory was then called and denominated Carolina. In 1729 the territory so granted and called Carolina, was, by the authority of Great Britain, divided into North and South Carolina; and the most northern part of 35th degree of north latitude was then made, and ever after considered the true boundary line between North and South Carolina. In 1731 the territory then called South Carolina, and which was carved out of the original limits of North Carolina, was subdivided, and a new colony established, called Georgia, to which was granted all that part of South Carolina lying between the Savannah and Alta-

maha rivers, and westward, from the head of said rivers respectively, in a direct line to the south sea. As between North Carolina, South Carolina and Georgia, the three original States, out of which were taken and created Tennessee, Alabama and Mississippi, where would be the southern boundary of North Carolina? If, as has been stated, North Carolina, the primary patentee, contained all the region constituting the three States, and was subdivided into North and South Carolina, and then South Carolina divided into South Carolina and Georgia, the dividing line between North Carolina and South Carolina must be conclusive upon Georgia, and secure to North Carolina all the land north of that line, unless, by treaty or otherwise, North Carolina, while sovereign of the domain, transferred her interest. It will be remembered that by geographical division, previously referred to, so early as 1723, the most northern part of the 35th degree of north latitude was established and recognized as the boundary and line between North and South Carolina, constituting the northern boundary of the latter and southern of the former. No traditional or documentary testimony, it is believed, is in existence evidencing an alteration of that boundary on the part of North Carolina. In corroboration of the existence of the 35th degree of north latitude as the true southern boundary of North Carolina, the confirmation of acquiescence on the part of South Carolina and Georgia can be adduced, together with the continued and uninterrupted claim and possession to that line by North Carolina, up to the time of the transfer of the territory now constituting Tennessee to the United States by North Carolina, in the year 1789.

In 1783, the State of North Carolina, after the termination of the Revolutionary contest and the establishment of American independence, in an act entitled "an act for the opening the land office for the redemption of specie and other certificates, and discharging the arrears due the army," expressly claims to the 35th degree of north latitude as her southern boundary line, and, as a sovereign State, took possession of and exercised such jurisdiction as was compatible with the laws and ordinances of the United States. In 1789, the State of North Carolina, in whom was vested the right of soil and dominion, by an agreement with the United States, transferred, under certain conditions, to the United States all the country now constituting Ten-

nessee—"beginning on the extreme height of the Stone mountain, at the place where the Virginia line intersects it; running thence, along the extreme height of said mountain, to the place where Watauga river breaks through it; thence a direct course to the top of the Yellow mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe river and the waters of Rock creek, to the place where the road crosses the Iron mountain; from thence, along the extreme height of said mountain, to where Nolichucky river runs through the same; thence to the top of the Ball mountain; thence, along the extreme height of the said mountain, to the Painted Rock, on French Broad river; thence, along the highest ridge of the said mountain, to the place where it is called the Great Iron or Smoky mountain; thence, along the extreme height of the said mountain, to the place where it is called Unicoy or Unaka mountain, between the Indian towns of Cowee and Old Chota; thence, along the main ridge of the said mountain, to the southern boundary of this State." The United States, on her part, accepted the ceded country upon the conditions proposed, thereby confirming the line ceded to her by North Carolina as her true boundary line, and then established a territorial government within the limits and boundaries affixed in the cession act.

In 1796 this territory was admitted into the Union as an independent part of the federal whole, under the name and style of the State of Tennessee, and her present constitution then received, ratified and confirmed on the part of the United States. At this time, Georgia, claiming all the portion of country now constituting the State of Mississippi, was a member of the federal Union, and, by her Senators and Representatives in Congress, ratified the cession act of 1689, between North Carolina and the United States, and consented to the admission of the State of Tennessee into the federal Union, with her present constitution, which expressly claims and asserts what was then the southern boundary of North Carolina to be her southern boundary. If North Carolina, when the sole patentee of all the country now constituting South Carolina, Georgia, Alabama, Mississippi and Tennessee, in her first division and allotment to South Carolina, fixed as her southern boundary the 35th degree of north latitude—if she retained and claimed that degree as

her true southern boundary, until she ceded the land to the United States—if, in that cession act, she conveyed and transferred all the territory to that degree of latitude, and the United States accepted the same, and then exercised territorial jurisdiction thereto—and if, after all this, Tennessee was admitted into the Union, claiming in her constitution, as her southern boundary, the line as established in the cession act of congress, and has, from that period of time to the present, constantly avowed and claimed to the 35th degree of north latitude as her true southern line—can it now be questioned, but that wherever shall be found the true degree of latitude 35, that there also shall be found the true southern boundary of Tennessee, and northern boundary of Mississippi? Again: in 1796 Tennessee was incorporated as a body politic, and received a grant from the United States for the region within her present chartered limits; which grant, among other calls for boundaries, calls for the 35th degree of north latitude as her south boundary line, and took possession of the granted land. In 1817 the State of Mississippi was incorporated as a body politic, and received from the United States a grant for certain other lands, which grant, amongst other calls for its boundaries, calls to be bounded north by the State of Tennessee. Now the ordinary case of a conflict between an old and a young grantee presents itself for consideration, and the question remains for solution, in whom is the better title? If the southern boundary of the State of Tennessee (the oldest grantee) had been run and marked in fact, or potentially, previous to the emanation of the grant to Mississippi, the grant to Mississippi would have to terminate and stop at that point. The object called for in the grant to the State of Tennessee, the point on the river Mississippi where latitude 35 will strike that river. The grant to Mississippi calls to strike the river Mississippi at the point where the southern boundary line of Tennessee strikes the same. A straight line, then, from that point, when it shall have been correctly run, will constitute the true dividing line between the States of Tennessee and Mississippi. Under, as it must be supposed, the influence of the above principle, and actuated by a laudable motive to settle the true boundary between the States of Mississippi and Tennessee, the Governor of Mississippi respectfully applied to the Governor of Tennessee to unite with him in the appointment of a commissioner to survey and estab-

lish the true line between the respective States. In compliance with the request so made, the Governor of this State, in the spirit of accommodation and justice, appointed a commissioner, who, in concert with the commissioner appointed on the part of the Governor of Mississippi, proceeded in execution of the trust. Upon actual experiment and survey made by the said commissioners, assuming the 35th degree of north latitude to be the southern boundary of this State, as the basis of their operation, it was found there was a difference in the locality of the line of eleven and one-tenth seconds; the commissioner of Mississippi making the latitude of Memphis 35 degrees, 9 minutes, 48, 8 seconds; the commissioner from Tennessee making the latitude of the same place 35 degrees, 9 minutes, 37, 7 seconds. If, previous to this transaction, any doubt or uncertainty could possibly attach to the southern boundary of this State, and if the State of Mississippi could possibly entertain any objection to the establishment of the 35th degree of north latitude as the southern boundary of the State of Tennessee, the result of this experiment and operation being the concurrent act of both, must, with a certainty, to every intent, locate the boundary, and in legal contemplation, estop the State of Mississippi from further claim, or pretension of claim, to the north of said boundary.

From a full and impartial review of the facts and authorities pertaining to the subject, the committee are constrained to the opinion, that the true south boundary of this State is a true line run upon the 35th degree of north latitude; and that the State of Tennessee of right is entitled, so far as the State of Mississippi is concerned, to all the territory north of said line, to her northern boundary. But as the correct mathematical running of said line will be dependent upon the correctness of the instruments and the ability of the surveyor, and as different results have been produced, and may be produced, varying in a few seconds, the committee, in the spirit of compromise and justice, would recommend the location of the boundary line equidistant between the latitudes found by the commissioners of Mississippi and Tennessee, as run by John Thompson.

The quantity of land lying between the true line, as herein adopted, and the line mistakenly reputed as the south boundary line, is estimated at 215,927 acres of land.

The next subject which presents itself for consideration, aris-

ing out of the nature of the resolution, is the right and policy of the State of Tennessee to extend her jurisdiction to the true southern boundary line of the State, as herein reported. In the disquisition of this proposition, the committee feel happy that the principle in the dubious and complicated question existing between the State of Georgia and the Cherokee Indians will not be implicated, and but for the erroneous survey and marking of a southern boundary of this State, the justness and propriety of the adoption of the measure would be most clear and manifest. If, as has been assumed in the discussion, and fully demonstrated, the true southern boundary of the State of Tennessee extends to latitude 35, then, to justify and legalize the extension of the jurisdiction of the State of Tennessee to the point, it is only necessary to establish the extinguishment of any and every prior and co-existing right, not strictly subordinate to the jurisdiction of the State of Tennessee. Previously to 1818, the tribe of Indians denominated the Chickasaws, held the usufructuary possession of the territory, now the subject-matter of action, in obedience to the existing treaties and ordinances of the Congress of the United States. Upon the 19th October, of the year 1818, the Chickasaw nation, in council, by their chiefs, stipulated with the United States, by their commissioners Isaac Shelby and Andrew Jackson, and by solemn treaty ceded to the United States all claim or title which the said nation had to the land lying north of the boundary of the State of Tennessee, which is bounded south by the 35th degree of north latitude, and which land so ceded lies within the following boundaries: "Beginning on the Tennessee river, about thirty-five miles by water below Colonel George Colbert's ferry, where the 35th degree of north latitude strikes the same; thence, due west with said degree of north latitude, to where it cuts the Mississippi river, at or near the Chickasaw bluffs; thence up the said Mississippi river to the mouth of the Ohio; thence up the Ohio to the mouth of Tennessee; thence up the Tennessee river to the place of beginning."

In the 5th article of the treaty, the two contracting parties covenanted and agreed that the line of the south boundary of the State of Tennessee, as described in the second article of this treaty, shall be ascertained and marked by commissioners appointed by the President of the United States. It is further

agreed by the commissioners, that all improvements actually made by said Chickasaw nation, which shall be found within the lands ceded by this treaty, that a fair and reasonable compensation shall be paid therefor to the respective individuals having made or owned the same.

In pursuance of said article a commissioner under the appointment of the President of the United States, proceeded to mark and run said line, which line is made to run from three to four miles north of the true line, based and run upon the correct ascertainment of the true degree of the 35th degree of north latitude.

The question then presents itself, to which of the lines shall the treaty be located, in its legitimate and legal interpretation? It is covenanted, that the commissioner shall run the line, as described in the second article of the treaty; if the same be differently run than therein authorized, it is a departure from, and a violation of the covenant, and not obligatory upon either party. To ascertain that fact, reference to the words employed, the objects described, and the legal import of those words, together with the controlling power of the objects described in the section, must be considered; and, in that consideration, the intention of the parties must have unlimited influence. At the formation of the treaty, the State of Tennessee was a member of the Union, with certain specified boundaries, circumscribing her territory, among which a line running from the Tennessee river, upon the 35th degree of north latitude, constituted her south boundary line. At the same time, and long previous, the policy of the general government, in conformity with the interest and desire of the States in whose chartered limits were abiding Indians, was and had been to procure from such Indians a relinquishment of their title to land within the limits of those States; and, at that time, the Chickasaw Indians, one of the contracting parties, were residing within the limits of the State of Tennessee, claiming title to, and in possession of the soil. What, then, it is asked, was the intention of the contracting parties in making said treaty? Certainly, on the part of the United States, to obtain from the Indians their title to all the land lying within the limits of the State of Tennessee, and on the part of the Indians, to cede and convey all such title. In confirmation of this, a recital of a part of the second section, verbatim, is sufficient,

which reads as follows: "The Chickasaw nation of Indians cede to the United States of America, all claim or title which the said nation has to the land lying north of the south boundary of the State of Tennessee, which is bounded south by the 35th degree of north latitude." And if the section terminated here, no doubt could arise, but that the treaty, in its construction, must be confined to the line constituting the south boundary of the State of Tennessee, whenever run according to the 35th degree of north latitude, truly ascertained. The after description of the boundaries, in the same section, it is contended, makes valid the line run and marked by Winchester. A refutation the State of Tennessee, whenever run according to the 35th descriptive words and objects used in the section, which are as follows: "Beginning on the Tennessee river, about thirty-five miles by water below Colonel George Colbert's ferry, where the 35th degree of north latitude strikes the same; thence due west, with said degree of north latitude, to where it cuts the Mississippi river, at or near the Chickasaw Bluff."

Now, here the beginning corner is located, not upon the Tennessee river at Col. George Colbert's ferry, nor at a point thirty-five miles below said ferry, but at a point upon said river, and below said ferry, where the 35th degree of north latitude strikes said river. Upon the locality and identity of this corner, no dispute can arise. From this corner, so fixed and ascertained, the line is to run due west with the said degree of north latitude, to where it cuts the Mississippi river, at or near the Chickasaw bluffs. What are the controlling objects in the description of this line? The point of commencement being fixed upon the Tennessee river, at the place where the 35th degree of north latitude strikes the same, it is most clear, the continuation of said line, in obedience to the description, must be run due west from that point, with the said degree of latitude, to where it cuts the Mississippi river, irrespective of the Chickasaw bluffs, which call is deemed superfluous. By this construction, the object of the treaty is attained in the full satisfaction of the contracting parties, and reciprocal justice awarded. If then the Indians, from the terms of said treaty, have ceded to the United States all their interest and title within the limits of the State of Tennessee, the objection arising from their right to the extent of the municipal jurisdiction of the State over the land,

ceases to operate. At the time of executing the treaty, the south line of the State had not been extended further west than the Tennessee, by actual survey; but its certainty and fixidity was such, to the Mississippi river, that in law its potential existence would operate to control the construction of the treaty, in the location of its line, and, by consequence, when the south boundary line of the State should be extended by correct admeasurement and survey, and actually established, it would be the true base line of the treaty. Nor will the influence of the principle lose its efficiency, because, posterior to the ratification of the treaty, and anterior to the enactment of the laws of Congress of 1818, and of the State of Tennessee of 1819, a demarkation of the line by an agent of the United States, predicated upon an erroneous survey and an incorrect latitude, fixed the boundary line from three to four miles north of the true latitudinal line. For if so, then by parity of reason and principle, notwithstanding the treaty called for and was predicated upon the 35th degree of north latitude, as the southern line of the State of Tennessee, had the same agent of the United States run and marked the line a degree south of the true degree, Tennessee would be entitled to all the land north of that degree.

It is conceived, however, as a self-evident proposition, that if the true dividing line between the States of Mississippi and Tennessee was the 35th degree of north latitude, any departure from that point in the location of the line, by an agent in whose appointment and subsequent action they had no agency or concurrence, cannot operate to change its true position, and more especially as the consequence would be to increase or diminish the constitutionally fixed dimensions of the two States. And if so, it is conceived as an equally clear, self-evident proposition, that the United States, in appropriating the soil, in satisfaction and fulfillment of the treaty of 1830, with the Chickasaw nation, cannot act upon the incorrectly surveyed line, denominated the Winchester line, but are compelled in justice to the State of Tennessee, to fix the base line for operations at the true degree of the 35th degree of north latitude. For if the 35th degree of north latitude was the true boundary line when the State of Tennessee, in her pupilage, constituted a part of the State of North Carolina, and if, in the cession act of 1789, North Carolina ceded the soil to the United States, reserving to herself the

power and right to have full and complete satisfaction made of all the land claims specified in the treaty, then, as the necessary and legal consequence of the treaty, the United States is inhibited from making any disposition of the soil repugnant to, or destructive of those reserved rights. Then the case presents itself, of a section of country to which an original and ultimately abiding title has been demonstrated to exist in the State of Tennessee, and to which the usufructuary title of the Indians has, for a full and valuable consideration, been obtained, and from which, by an amicable adjustment, they have voluntarily moved. And the question is propounded, can the State of Tennessee properly take and exercise jurisdiction over said district of country encompassed in her chartered limits? To which the committee reply, that the extension of the jurisdiction of the State of Tennessee over the specified territory, is in accordance with, and approvement of the fundamental principles of the federal association.

The last and only subject arising from the resolution, and which demands the consideration of the committee, is the rightful disposition of the territory between the two lines, so far as the same is subject to legislative action.

In the examination of this proposition, the committee feel bound, by fiduciary obligations, to regard with the utmost sanctity existing compacts and laws, and in the formation of their opinions to yield implicit obedience to their dictation and guidance.

A review of the conventional and legal action of the federal government and of the States of North Carolina and Tennessee, in relation to the disposition of the landed interest of the country, is important to a correct conclusion. In the cession act of 1789, the State of North Carolina annexed several stipulations, upon the execution of which depended the confirmation of the contract, among which, in the second conditional section, it is declared, that the land laid off for the officers and soldiers, their heirs and assigns, respectively, shall be and inure to their use and benefit; and if the bounds prescribed for the satisfaction of the officers and soldiers of the continental line, shall not contain a sufficient quantity of land fit for cultivation, that such officer and soldier who shall fall short of his allotment or proportion, be permitted to take his quota or deficiency in any other part of

said territory hereby intended to be ceded. It is also declared that where entries have been made agreeably to law, and titles under them not perfected by grant or otherwise, the Governor is required to perfect such titles in such manner as if the act had never passed. And it is further declared and understood, that if any person shall have, by virtue of an act of North Carolina, passed in the year 1783, made his, her, or their entry in the office usually called John Armstrong's office, and located the same to any spot of ground on which any other person shall have previously located an entry, that then the person or persons having made such entry, be at full liberty to remove the location of such entry to any vacant lands included within the limits of the land hereby intended to be conceded. Upon the 21st day of November, in the year 1803, the State of North Carolina passed an act, entitled "An act to authorize the State of Tennessee to perfect titles to land reserved to this State by the cession act," which act, upon the 4th day of August, 1804, was assented to and ratified by the State of Tennessee. Upon the 6th of April, in the year 1806, the Congress of the United States passed an act, entitled "An act to authorize the State of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and other unappropriated land within the same," which act, upon the 6th day of September, 1806, was accepted, ratified and confirmed by the State of Tennessee. The Congress of the United States, in the act of 1806, retained to herself the sole and entire disposition of all the vacant and unappropriated lands lying south and west of the line then designated, and ever since called the line of the congressional reservation. By the provisions of the several preceding acts, it is manifest that the power remaining in North Carolina, or the United States under the cession act of 1789, to issue grants and perfect titles in accordance with the act of 1789, was transferred to the State of Tennessee, and that under the act of Congress of 1806, Tennessee was circumscribed south and west by the congressional reservation line. Upon the 3d day of December, 1807, the State of Tennessee, by an act entitled "An act to amend an act, passed the 12th day of December, 1806," opened the land office for satisfaction of the respective claims designated in the cession act. Under the operation of this act, the section of country north and east of the reservation line, was

subject to appropriation, and, in a great degree, consumed in the satisfaction of those claims provided for in the cession act, except the lands of the Hiwassee, which by subsequent regulation were exempted. Upon the 9th day of October, in the year 1818, the then subsisting Indian title to the land south and west of the congressional line was obtained by treaty, and by an act of Congress, passed the 3d of April, 1818, it was made lawful and proper for the State of Tennessee to issue grants and perfect titles on all special entries and locations of lands, made pursuant to the laws of North Carolina, before the 25th day of February, 1790, and which lie west and south of the line of reservation, and also to issue grants and perfect titles on all warrants of survey, interfering entries, and locations, which might be removed by the cession act of North Carolina, and on all interfering grants which are good and valid in law, or the warrants or certificates legally issued in consequence of such interference. Upon the 23d day of October, 1819, the State of Tennessee passed an act entitled "An act making provision for the adjudication of North Carolina land claims, and for satisfying the same by an appropriation of the vacant soil south and west of the congressional reservation line, and for other purposes." Under the provisions of said act, the specified country has been, in a great measure, appropriated to the satisfaction of the land claims provided for by the act of Congress, passed the 3d day of April, 1818.

Notwithstanding the great lapse of time intervening since 1789, and notwithstanding the immense domain over which the holders of land claims have, with unlimited power, been permitted to roam in pursuit of satisfactory appropriations, still, from the report of the Secretary of State, there remains of unsatisfied warrants, 109,094 acres already adjudicated, and 285,121 acres unadjudicated. For the satisfaction of those unsatisfied warrants, has the State of Tennessee the power of subjecting the country south and west of the congressional reservation line, and lying between the Winchester line and the true southern boundary line? And if she has, is it proper and expedient so to subject the same? From a collation and a careful examination of the various acts of Congress, and of the States of North Carolina and Tennessee, the committee conceive the section of country above designated, justly and legally subjected to the satisfac-

tion of the claims specified in the cession act of 1789, of North Carolina, and of the act of Congress of the 3d of April, 1818. But as a difference of opinion exists in relation to the true line upon which the treaty of 1818, with the Chickasaw Indians was predicated, and as a difference of opinion exists as to the locality of the dividing line between the States of Mississippi and Tennessee, the exercise of any power on the part of the State of Tennessee would be impolitic at this time, and the adoption of any measure, in satisfaction of the claims, inexpedient. All which is respectfully submitted.

LETTERS OF DAVY CROCKETT.

[The following letters of David Crockett are preserved in manuscript in the Tennessee Historical Society. The box and file number is given with each letter for convenient reference of any reader who may desire to examine the original manuscript.]

[Box C 3, No. 186.]

11 Sept. 1828.

Dear Doct I have let Mr. Hiram Partee have the amount of twenty-five Dollars on you you can be so good as to Settle that amount with him and oblige your friend &c.

DAVID CROCKETT.

[Box C 3, No. 187.]

Washington City 27th January, 1829.

My Dear Brother

I received your favour of the 11th inst and parused its contents with great Pleasure all except that part whare it Relats to the disagreeable situation of friends Differing it is certainly the worst of all furiz I Received a letter on yesterday from John which affected my feelings a great deal that was in consequence of the Death of our Poor Dear little neece Rebecca ann Burgin She had Been at my house for two or three days and on the first day of this month She was with my children in my horse Mill walking Round after the oxen and stoped opposite one of the out side Posts and the end of the arme or Brace that which the oxen worked too caught her head against the post and mashed it all to peaces Poor little dear Creture never new what hurt her I thought almost as much of her as one of my own I hope she is this day in eternal happiness whare I am endeavouring to make my way I have altered my cours in life a great deal sence I Reached this place I have not taisted one drop of Arden Speruits sence I arived here nor never expecte to while I live nothing Stronger than Cider I trust that god will give me fortitude in my undertaking I have never made a pretention to Relegion in my life before I have Run a long Race tho I trust that I was called

in good time I have been Reproved many times for my wickedness by my Dear wife who I am certain will be no little astonished when she gets information of my determination You write me that Father is guoying to visit Our Country and also Bróther Trosper I have no doubt but Brother trosper will be well pleased with our Country and it will be a Pleasing seen to all of us to see fater in our Country and also it will be an unexpected one to all his children Brother McWharter has moved down in my neighbour hood in fact to my old place the old gentleman will find us all close together I should like much to be at home when Brother Trosper is thare on several reasions I will be home between the 17 & 20 of March if it is Gods will to keep me in health I shall leave here a bout the 4 or 5 of March and if no Bad luck I will Reach home in eleven days. Brother William wrote to me that John had got my mare and Coult from that young man tho he did not write that he paid twenty Dollars I consider that gentleman had no business with her except he had Brought her home as I wrote him I had no Idea of his getting her to keep thare fore I consider the case the same as you and Brother Trosper does that he had no Right to make a charge

Brother William wrote to me that he wished to By her & the Coult and that he would bring me a negro boy in one year ten years of age and well grown if I would give him the mare & coult and send him one hundred & fifty dollars at this time I could not do it becaus in the first place I built a mill last summer and got in debt and have not the money to spare & in the second place I can get a negro here of that description for less than \$150 and should Rather keep my mare for I have a fine sted horse at home a packlet which I would like to Breed from that mare and would like much if Father & brother Could Bring her out this I wish you to informe them I wish you to tender my kindest friendship to all my connection also except to your self & Family iny warmest esteem I must conclude with a hope that the protecting hand of the almighty may Bless guard & protect you and all our Conection is the Prayer of your affectionate Brother Farwell

DAVID CROCKETT.

George Patton—

P S Pleas write imediately on the Receipt of these lines let me know how all is.

D. C— —.

[Box C 3, No. 188.]

Washington City 13th Febr'y 1831

Dear Sir

Your favour of the 24th Jany came safe to hand by this mornings mail and I will hasten to answer it I am still in Joying fine health and hope these lines will find you & family in the alike health

As I am writing a Circular which will give a full history of the affairs of the government I deem it unnecessacery to mention much a bout politics more than to give you the signs of the times

The Senate is handling the P M general with out gloves Mr Claton has laid that department open to the world in its true coulers for refusing to answer the enquire made by the Committee— Mr Grundy has introduced a Resolution in the Senate to prohibit any man who has been reformed out of that office from giving testamony This is Carrying proscription to the full extent that a man who has been proscribed for opinion sake are not to be entitled to his oath this is high times in this bosted land of liberty the truth is Mr Barry has expended all the money that Mr McLean made for the Country and now we Cannot pass the post office & post Road Bill for want of money to Carry it in to operation without Congress makes a large appropriation this is the effect of this glorious sistom of retrenchment & reforme this is the effect of turning out men that knows their duty to accomodate a set of Jackson worshipers what they lack in quality must be made up in quantity Can any honest people have the like of this put upon them I for one Cannot nor will not I would see the whole of them hung up at the devil before I will Submit to Such Carryings on as this I did not come to Cloke their extravagancy to let them make a Speculation of this government their partizens hire reminds me of Some large dogs I have seen here with their Collers on with letters engraved on the Coller *my dog* & the mans name on the Coller I have not got a Coller Round my neck marked my dog with the name of Andrew Jackson on it—because I would not take the Coller Round my neck I was herld from their party

There will an explosion take place this week that will tare their party into asunder Mr Calhoun is Coming out with a Circular or a publication of the Correspondence between him & the President that will blow their little Red fox or aleans—

Martin van buren in to atoms—then—you will see Genl Duff Green Come out up on them with all of his powers this will Rais a fuss in the Camps the truth is I expect we will wind up the remainder of the session in a fuss and have done nor will nothing for the Country this is the effects of the Strong Jackson Congress that were to do so much Business—

I must Close with high esteem your friend & obt servt

DAVID CROCKETT.

A M Hughes—

P S you Can use this letter as you pleas I stand pledged to sustain this to be a true fact.

D C

[Box C 3, No. 189.]

Washington City 8th Decer 1833

My Dear friend

Your favour of the 21 Nover has Just been recd and I will hasten to answer it I am enjoying good health and hope these lines will find you and family in the alike you wrote me that I could see the Conventional Districts by the papers I have not saw a paper from our State since I left it however you know let it be laid off as it may I go the whole hog for you a gainst any person whatever I never will have the sin of ingratitude to answer for

I have wrote you one or two letters on the commencement of the session we disposed of the Contested Election between Moore & Letcher on Thursday, and adjourned over untill monday we disposed of them by letting neither of them take the Seat—until it is desided by the Committee of elections which is entitled to it this makes a bad apearance for a Jackson Congress—and the *Globe* Complains heavily about it the truth is I have no doubt but there is a considerable majority in both houses opposed to Jackson and his measure.

The United States Bank has come out in self defence and have made the clearest defence I ever saw and have exposed Jackson and the Kitchen Cabnett out of measure I have but one copy or I would send it to you it is a large pamphlet and contains more than anything I ever saw of its size it will Sinque the administration in the mind of all honest men it proves that the whole hostility of the president to that instatution originated from the Cause that the bank refused to lend its aid in keeping up the

preasant power right or wronge when you see the attempts to bring over the Bank to be subservant to the preasant administration it will disgust you and every honest man the truth is I do believe the old Chief is in a worse drive than he ever was before and he is beginning to find it out you wrote me to informe you of the insolvency of the post office department the most favourable accounts that is stated here is that it is upwards of three hundred and seventy five thousand dollars behind hand and it is Current that the deficiency will amount to one million it is yet unknown but they can hide no longer and the thing has to come before the world in its true coulers

I will deliver your message to Mr Clay and Everett with much pleasure relative to your two sones their namesakes you shall here how we progress often let me hear from you as often Mr Clay handled the president without gloves when he returned his land Bill with his veto message on and Mr Poin-dexter was almost as bad . . . fact the old man is in much troub . . by adhering two much to his . . will you pleas to tender my best . . to Mr Ellis and family & Mr . . . and all my friends tell them . . . from the . . . to the rack . . fodder or . . . morrow I expect to . . . land Bill however I expect . . . resolution to appoint the . . not commence until the . . . was out of the way we . . . business on to morrow . . . I will go ahead I must . . . Respects your friend and . . .

DAVID CROCKETT.

A M Hughs

[Box C 3, No. 190.]

Washington City 8th January 1834

Dear Sir

Your favour relative to the arrangement of your mail was recd on yesterday, and I took it imediately to the P. M. G and left it for his action he promised me to answer me in a few days upon the contents of your letter but he is harased to death upon the deranged state of that department you recollect that the peoples President at the commencement of the present Congress said in his message to both houses of Congress and the nation that the Post office department was in a most flourishing condition and what do we see now, you perhaps have seen the call

from the Senate upon the department and Mr Barry's answer he acknowledges that he had Borrowed from their pet Banks three hundred and fifty thousand dollars and that he had over drawn fifty thousand dollars making in all four hundred thousand dollars that he has borrowed at six per cent and without any authority from the Government and it is common rumer here and I have no doubt of the truth of the report that he is upward of six hundred thousand dollars behind with his contractor Glorious reforme and retrenchment under *King Andrew the first* will the people be blinded always to uphold a name destitute of principle I conceive this a duty that every servant of the people ought to expose all such conduct let it come from where it may

I suppose you can see by the news papers that we are still engaged in discussing the great question of Jacksons kingly power exercised in the removel of the deposits and God only knows when this depate will end or what will be the result In the Senate there is a large majority in favour of the restoration but in the house I am unable to say how it will be determined I am of opinion that we are gaining ground to restore the deposits the memorials are poring into Congress from all quarters to restore the Country from ruin by replacing the deposits to the United States Bank a few days ago we had a delegation of twenty members from the city of New York with a memoreal of six thousand merchants and dealers praying that the deposits may be restored and save the Commercial men they laid their memorial before Congress and then waited on the President and he got into a perfect rage and told them that If every one of his party quit him that he never would agree for the deposits to be restored he said that he had determined to put down the united States Bank and By the Eternal he would effect his object By this you see we have the government of one man that he puts forward his will as the law of the land If the american people will seanction this we may bid farwell to our Republican name it is nothing but a shaddow our once happy government will become a despot I consider the present time one that is marked with more danger than any period of our political history the South Carolina question was nothing to the present for the overthrow of our once happy government you see our whole circulating medium deranged and our whole Commercial Com-

munity destroyed all to gratify the ambition of *King Andrew* the first because the United States Bank refused to lend its aid in upholding his corrupt party the truth is he is surrounded by a set of Imps of famine that is willing to destroy the best interest of the country to promote their own Interest I have spoken free but I write the truth and the world will be convinced I hope before it is too late

My land Bill is among the first Bills reported to the house and I have but little doubt of its passage during the present session I must close by a request that you present me kindly to your neighbors and receive my best wishes for your self & family.

I am with great Respects your
obt servt

DAVID CROCKETT.

William Rodgers

Ps will you do me the favour to send me a list of the names of your . . . documents to your post office I am determined to enlighten the people if it costs me my salary I will trust to an honest community here after for reward I love my country better than any party or Riches Mr Grundy is well

D C

LETTERS AND PAPERS OF GOV. JOSEPH McMINN.

[The archives of the Tennessee Historical Society contain forty-eight letters and papers signed by Gov. Joseph McMinn. These are filed in Box Mc 1, and extend from numbers 46 to 92, inclusive. The numbers from 47 to 65 were published in the last issue of this Magazine, No. 46 being omitted as an unimportant fragment. Below is published Nos. 66-90. No. 90 is a deed to land, and an examination of it will reveal to the student of history the imperfection of the early system of surveying and locating land.]

[Box Mc 1, No. 67.]

Cherokee Agency 31 May 1819.

Dear Secy—

On hearing of the Presidents passing on to the west, I determined to write him by express on the various points of my duty here, the answer to which shall be communicated.

I have been writing nearly all night, and now detains the express Mr. Perry while I give you this scrawl, I am in perfect health thank God and thus far things are going on as well as I could expect—please present me as usual to &c, and say to Mrs. McMinn that her children are all well—I will write you by next mail.

Yours,

Jos. McMINN.

Honl Secy Graham.

[Box Mc 1, No. 68.]

Cherokee Agency 1st June 1819.

Dear Secy—

I wrote you a hasty note by Mr. Perry the bearer of my letters P. Monroe & G. Jackson in which I gave you notice of my addressing the President upon the subject of our leases, tho I cannot flatter myself with succeeding as Genl Gaines gave notice to one of my, lessee's (and perhaps to many others), that arrangements were making to remove him & all others from the Indian lands, however I shall learn the worst of the subject in a few days.

The heat & clamour which we understood to exist against me

on the score of conducting the business here has been subsiding for some one or two months, indeed the People dates the change from the Promulgation of the existing treaty, and I assure you, I have never heard more honorable recantations made by any People, nor greater Professions of Political friendship than is making by all that I have heard speak of the subject.

I have not heard any thing said about Humphries, except what I wrote you from Sparta, tho I use it as hearsay proof on all occasions, and really it offord me great relief, tho I frequently think of the Fable of the Wolf & the Sheppard, who was so severely injured for giving false reports. There does not appear to be the least apprehension of opposition so far as I have travelled or heard from.

I expect to leave here about 10th inst & not sooner, tho will advise you further; I have the pleasure to add that a surrender of the notes will please all those poor unfortunate men who have purchased as they say under me, evan if my master should refuse to support the Sales, tho I have asked him to permit them to remain untill their crops are housed &c &c that is to say if he conceives the leases cannot be supported, in favor of which I have used the strongest arguments my mind could suggest, *unless I had threatened his next election* ha ha.

Pray remember me to Mrs. McMinn and Represent me to every Laday & Gent who asks for me, and you may give each of them one Dollar out of any funds for which you have no better use—Thank God I am in remarkable good health & fine spirits tho quite sober, tho that will not appear to be the fact from such nonsense as this.

Good night,

Honl Secy.

JOS. MCMINN.

[Box Mc 1, No. 69.]

Knoxville 24 June 1819.

Dear Secy—

On my arrival here last evening, I had the satisfaction to receive your two letters of 30 May & 13th inst. In the latter I found one from the President of the U. States which I had expected would have been more satisfactory, tho taking all things together the object is obtained, & I feel very well pleased with everything except that I was detained much longer in the nation

than I had either wish or expectation to have done, which is the only reason I have not written you much earlier, as I knew you would be asked where I was &c.

I am however extremely happy that I spent as much of my time at the agency as I did, circumstances had rendered it highly necessary that I should do so, and I do assure you that with the support I received by the letter from the war department, and one I recd from Mr. Monroe by express that I have been able to set all things right in that quarter, indeed far beyond my most sanguine calculations, and here every countenance with regard to the Cherokee measures seems to express great satisfaction, in addition to the many who make Public declarations in its favor.

For fear that my last should not reach you as it gives the only intimation of the receipt of your letter of the 5 inst, I will now say it was received, and if health & leasure will afford me an opportunity of answering them all in detail I will do so If not accept of the tender of my thanks for the great variety of matter and elegance of Style in which they are written, and on the whole their fitness for the reading of a man in a strange land, whom you from self feeling & experience must have supposed to be occasionally Blessed with the Hippo or hypo.

I propose God willing to leave this place on the 26th inst for Maryville, & thence by the different courthouses to the residence of my Kins Folks in the land of my nativity as I may call it, and the Place where I have Buried, those, once the Dearest of all human creatures to me, the bare recollection of whom never fails to produce the most pleasing sensations—

James Glasgow has just advised me that Mrs. McMinn had arrived safe at her Fathers, tho still in bad health, and added that she spoke of being in this quarter in July. As you know it will be a matter of great satisfaction for me to hear from you on local and general subjects of Public & private nature you will please address your next to New Canton, Hawkins County, but that I should find it there it must be sent by the return mail.

Will you have the goodness to Shake the hand of our mutual old friend for me & say to . . . that I entertain the most gratefull recollection of all past favors, and hope the latter part of July will afford a personal interview, and to our other friends please

tender my sincere esteem to as many as may be convenient, and for your self accept the best wishes of Your friend,

JOS. MCMINN.

P. S. Thumans Pardon has given very General satisfaction to the inhabitants of this place, and else where so far as I have heard.

J. M. M.

Honl D. Graham.

[Box Mc 1, No. 70.]

Knoxville 26 June 1819.

Secy—

Your having accepted the appointment of commissioner to examine the Books of entries and Surveys of the Principle Surveyors of the 4th 5th and 6th districts, and the Register's office of the Register of East Tennessee, and report to the General assembly next to be held at Murfreesboro on the third Monday of September next, according to the Provisions contained in an act of Genl Assembly passed at Knoxville 5th Nov 1817 Entitled an act to authorise the Governor to appoint Suitable persons to examine the Books of entries &c.

As one of the great objects to be obtained in executing the views of the Legislature will be to exhibit the gross amount of Floating claims against the vacant land, within this State; it will be important to show the number of entries and quantity of acres in each, as well as carefully to note all irregularities if any should exist in the Books of entries & surveys with regard to the commissioners books, they being made a part of the Register's office; you will have a right to examine and report on them, first the quantity of acres that have issued since their organization, and secondly the order in which they have been kept, and as the division of warrants have been confided to the Register, and do not appear to compose any part of his duty as pointed out by the act organizing the office of Register, it will nevertheless be very important to examine the Books kept for that purpose, and to report the ballances due and to whom, without any regard to such of the entries as stand ballanced on the Books.

The Register's Books you will in like manner examine as those preceeding; except that of noticing their number, but it

will be very desirable that their appearance should be exhibited, as well touching their correctness, as the state & strength of the Books.

Having believed untill the moment I was ready to set out, that I had a copy of my instructions to Major Brown wrapped up with your commission, on opening which I found my self mistaken, and had to draft these in great haste and without having the Law refered to as my guide—I will therefore ask you to be good enough in the execution of the trust confided to you to pass over such parts as you may find incompatible with the law & views of the Legislature, and substitute your sound discretion in their stead.

I expect to be here on my return to the west in about 15 or 20 days at furthest, and should be pleased to find a line from touching the subjects to which this refers.

Very respectfully,

Jos. McMINN.

[Box Mc 1, No. 71.]

Sir—

Rogersville 20 July 1819.

Yours of the 3rd July came to hand by last mail. I had the pleasure of meeting the President this evaning on his way from this place to the city with whom I spent say one half an hour, he is in fine health, and gives out very good talk on every part of the Cherokee business.

Long looked for has come come at last, the Genl is going on as Jonney Rhea used to say—The subject is entirely new and precludes me from giving a decissive opinion on the case, tho I assure you its seldom spoken of here otherwise, than as the effect of a deluded mind—and so far as I have travelled since I heard it spoken of, no one has ventured to speak of his election a possible one there.

Honl D. Graham.

Jos. McMINN.

[Box Mc 1, No. 72.]

Dr. Secy—

Knoxville 26 July 1819.

I arrived here last evaning thus far on my way to the Land of Canan in perfect health, & had the pleasure to find Major McCulloh & lady here who had just arrived both in fine health &c.

You will ere this reaches you, have heard that Genl Parsons is a candidate for the office chief majistrate—He will be very harmless indeed in E. Ten. compared with his calculations, which I learn to be that he will obtain a majority of 5,000 votes—I feel fully authorised to state, that from Sullivan C. H. to this place that he will receive very few votes, indeed here all parties agree, that I will obtain a large majority in this county—Blount Green & Washington are the only counties in which I believe he will obtain a majority. The Great calculation is on W. Ten. from whence his friends say he was most severely Pressed to become a candidate—against this Major McCulloh states Positively that the calculation is intirely founded in error, that he never heard of his name as a candidate untill he arrived at McMinnville, when it was spoken of entirely without interest—The People here complain that he has come out too late & cannot expect to be supported—upon the whole I believe he will not obtain more than the honors of an honorable Defeat.

However I deem it best to keep a stiff Rien, and am busily engaged both with company & writing—Major McCulloch advises to remain on this side the mountain untill the election is over which perhaps I may tho I very much desire to be at Murfreesboro on the days of election.

I enclose you a paper signed by the Sheff of Campbell County upon which I have deemed it consistant with justice to offer a reward of one hundred Dollars which with what the Sheff has *personally* offered will be a handsome reward—please insert it in the N. Paper.

I also send you one of our old kind of Papers upon which please issue &c. In very great haste your friend,

JOS. MCMINN.

Honl D. Graham.

[Box Mc 1, No. 73.]

Knoxville 26 July 1819

Dear Secy

The enclosed was this moment put in my hand by Mr White—all circumstances considered I have thought we would propose a reward of \$50, Though I expect he will never be heard of in

this country again. You will please therefore issue the Proclamation &c

Your friend

Jos. McMINN.

Honl

D. Graham

[Box Mc 1, No. 74.]

Major Brown.

Southwest Point 11th Dec 1819.

Dear Secy

I arrived at McMinnville on the evening of the 6th inst., thence to Major Chisholms 6 miles west of Sparta on the 7th; on the 8th breakfasted at the latter place, and lodged at Millers 21 miles west of the crab orchard, at which place I arrived 9th inst and thence to this place on the 10th—without the slightest accident or misfortune, horses all traveling much better than when we set out—In fact I never did see horses work more gentle—nor do I believe any man has a sett of horses better broke to the harness than the Blacks—Wilsons horse I think is gaining strength tho he continues weak & sweats but not very considerable—my health thank God continues equal to that which I enjoyed previous to my leaving home &c I propose God willing to leave here early on the morrow for the point of destination, my future movements will therefore form a part of my next, which I expect to write at Knoxville—

The people seem to enjoy good health as far as I have advanced, and boast of fine crop almost every where. I am told the N. Intelligencer states that Spain has refused & still continues to refuse giving her assent to the Florida treaty, in consequence of which say our statesmen possession must be taken immediately.

Pray let me ask you for once, (which I hope will answer always) to tender my sincere esteem to my friends—and believe me to be yours

Jos. McMINN.

Honl

Daniel Graham

Secy of State

[Box Mc 1, No. 75.]

Knoxville 15 Decr 1819

Dear Secy.

I arrived here 13 inst and recd your letter on 14th—it is not now before me tho I have not time to say more than that I am in good health in reply to yours

My horses continue to do very well and every thing goes on prosperously—I have closed a settlement a few minutes past with Capt. Starr, have also obtained all the Kingston military rolls &c and now have nothing to do but progress on my journey, which I propose doing in less than 1-2 hour—I promise a more lengthy letter in a few days—adieu

Secy

JOS. McMINN.

[Box Mc 1, No. 76.]

Doctor Dulaney.

21 Decer 1819

Dear Secy—

Yours of the 9th was handed me last night on my arrival at New Canton, which place I left this morning at 9 o'clock.

I am truly happy that your fears respecting my right hand horses, are not realized, they both perform to admiration, that is the Black is perfectly well of the scratches, and Wilson is gaining courage faster than flesh, in fact I have never seen any of them in any degree wearied, notwithstanding I have run them five miles an hour in a few instances & most generally four, and with much ease and comfort to myself, as I on no ocaion have experienced the least cold evan without my cloak—I enjoy very fine health, and every other blessing I can in justice ask for.

The Doctor was a few minutes since called to a sick person a Lady about 8 miles distant—and nothing but delicacy prevents me from naming her complaint—If I thought mother could not guess from the above hint I would say that she the sick Lady is in a family way, of which pray advise her by shewing this letter—I propose Lodging in Abingdon God willing tomorrow night.

Adieu farewell

JOS. McMINN.

P. S as I have neglected to forward Haywood revised Laws to Mr. J. Q. Adams must beg the favor of you to forward a copy

to me which I will leave with him perhaps it may be much wanted. M.

Honl

Secy of State

I have just read Father James' talk and am more than pleased, as it expresses the warmest wishes of J. M M

[Box Mc 1, No. 77.]

Englises Ferry N. River,
Sunday night 26 Dcr 1819

Dear Secy.

I recd your letter dated 11th inst on yesterday evaning as I was jogging along the street by the c. h. I knew Grundy would act pretty childish about the Ky. Papers, and from whence he flatters himself with success, is to me unaccountable but as old Mr Brown a very honest old Irishman from N. C. God help him (used to say such an one wanted to be doing, which he applied to good as well as bad acts—and so it is with our friend G on this occasion.

I would very much prefer that G. Wilson would content him self in printing the Laws as they may be delivered to him without comment, for altho he may not and I presume not be able to make any impression on the state of Public feeling at home which will very materially affect the Popularity any member—yet when his paper is read abroad it may become very mischievous, and I have been some time thinking with you, that perhaps we are to be more entangled than has generally been supposed, but am now laboring under the hope that times are past the worst.

I will profit by your admonission in the close of your letter—Every part of the Establishment—performs very well indeed—The roads & weather are quite fine and I feel disposed to take all advantages of both—pray remember me &c &c

JOS. MCMINN.

Honl

Secy of State

[Box Mc 1, No. 78.]

Millers Town 100 miles west of W. City 4 Jany 1820
Dear Secy.

I arrived here this evening at sunset in very good health, and thus far without having recd. the slightest portion of adverse fortune on the way—The weather has been very cold or at tolerably so—The water courses are all frozen over, the ice in many places 6 inches thick, and the snow said to be 12 inches deep, and very considerably drifted, tho the road are well opened, & in most excellent order, Sufficiently so to enable us to travel from 20 to 30 miles per day, at which rate I expect to reach the city about Saturday or Sunday next—previous to which tis probable, I will not write you as I expect to find the news of Murfreesboro at that place out of which I will calculate on extracting the materials of a long letter—Indeed I have not heard from you since the 11th ult, which I noticed in a former letter—I have some turbelent statesmen below stairs, who are quareling about our father's Talk relative to the Floridaes, some for & others against it

Adieu Farewell

JOS. MCMINN.

Honl
D. Graham.

[Box Mc 1, No. 79.]

Washington City 16 Jany 1820

Dear Secy

Your favor of the 31st ult came to hand on yesterday previous to which I had written you, but finding you stand in need of Blank, & fearfull that your might miscarry have thought it best to forward the enclosed and should your Printed ones arrive they shall be returned without delay,

I have spent this day say in the forenoon in attending the Episcopelian Church, and the afternoon in attending the Roman Catholic meeting, in both instances, I was very agreeably entertained, more particularly as I had the pleasure of having two seats in my carriage occupied by two young and very beautiful Ladies of whom you shall hear more at Large in my next—

Present my love to Miss Stokes, say to her that her Pappa is in fine health, and so is your friend Mr Burton—The former being named for the purpose of giving you an introduction &c

Our Father asked me very kindly after your health, the other day at Dinner—I recd. a card to take tea on Tuesday evening next with the highly accomplished Mrs J. Q. Adams and also a card from him self by way of introduction, which I am told is a mark of attention which he has withheld from all the Land Senators since the opening of this session—Pray tell *mother* how much attention is paid to her friend.

JOS. McMINN.

[Box Mc 1, No. 80.]

Washington City 9th Feby 1820.

Dear Secy—

Yours of the 20th Jany came safe to hand, and am truly happy to learn that our little Republic is moving on so very smoothly.

The admission of Missouri, into the union, has at this period excited more public feeling, than any subject which has come before congress since the close of the Revolutionary War, and what is to be regreted above every thing else is, that a dismemberment of the union is spoken of on the floor of both Houses, and in private circles, as the inevitable result—To this doctrine I do not subscribe nor do I believe that the American people will for a moment entertain or cherish the Idea of a civil War; in lieu of which my own opinion is, and I have constantly avowed it here, that if Missouri adopts the same course which Tennessee did, that it will produce the same result, I mean that they ought to elect their Senators & send them here with their State constitution in one hand, and knock at the Door with the other for admission into the Union, which I feel very conscious would not be denied.

Tho I cannot bring my self to believe that the friends, to the restrictions will be able to sustain them, yet as it is undetermined it must be uncertain as a matter of course.

Some of the friends of the administration entertain doubts that De-Witt Clinton will be run against Mr. Monroe at the succeeding election, if so I hope that Tennessee will act in unison with

her characteristic steadiness in support of the latter as to him she owes much of her present & future hopes of prosperity.

Gaston from N. C. is here, tho the object of his mission will remain unnoticed until some decision takes place upon the Missouri question, nor do I believe he will then succeed even to the smallest extent, as Ten stands on very high ground here.

I waited on the Secy of War this morning who could only promise that my business should be closed as soon as possible—as I am conscious you and my fellow citizens, who have calls for me in my official capacity would wish to know at what problem period, I will leave here, I will venture to say before the 20th present month all accidents excepted.

Adieu farewell,
JOS. MCMINN.

Honl D. Graham.

P. S. the delay of my business is only occasioned by the pressure of the subjects of more importance.

J. M.

[Box Mc 1, No. 81.]

Washington 15 Feby 1820.

Dear Secy—

Mr. John P. Erwin has notified me of the Death of Mr. Washington Perkins late notary Public for Davidson County.

Mr. Erwin has signified his willingness to accept of a protem appointment to fill the vacancy; which I presume we may with safety confer on him, and therefore enclose a Blank sheet except as to my signature, which please fill up accordingly.

I wrote you on the way relative to giving the commission of State Director to Mr. Thos. L. Williams, notice of which has not reached me as yet &c.

My accounts are not yet closed, tho the hour fixed by them meaning the clerks is very near at hand and cannot come a moment too soon for the gratification of my desires—I am extremely solicitous to set my face for the west once more & God only knows whether my foot will ever tread the soil of any other State except our *beloved Tennessee*.

I thank God that I enjoy remarkable good health, I am much more corpulent than you have ever seen me—the Boys & Horses are also well, very well indeed.

The Missouri question still occupies both houses of Congress, and I am sorry to say that the Councils of the nation are about equally divided, which renders every thing uncertain, no man will blush who represents a non slave holding State in speaking of R. King and D. Witt Clinton for the next President—Tho I hope we have nothing to fear from such calculations—Indeed I feel very certain that if our friends cannot obtain the admission of Missouri that Maine will be kept out of the union, and compelled to await that measure—which I believe would quell the heat of the Yankee's.

Not one step has been taken by N. C. as to our landed matters, nor do I believe any thing will be done to the prejudice of Tennessee in that respect.

We are advised here that our commissioners have come to an adjustment of our differances with K. Y. namely by establishing walkers line to the E. bank of Tennessee river, thence up the same to where the new Kentucky line begins and thence with it to the Mississippi river

Genl Stokes, & Cole Burton are both well, which information please give (as relates to the Genl) to Miss Stokes with my kindest wishes for her future prosperity, in which I would wish to be understood as saying nothing more or less than that she may suddenly tie nuptial knott with one who may be more Dear to her than all the world—nay almost Dearer than life—and while I am in the way of wishing well to my friend,—will you please to accept for yourself the same—the very same good wishes from
JOS. McMINN.

Honl Secy of State

I enclose a letter to mother which please place in her hand out of yours
J M

[Box Mc 1, No. 82.]

Washington City 20 Feby 1820

Dear Secy

I am still here in perfect health, but anxious beyond measure to return to Ten.

I had all my accounts passed thro' the Second Auditors office on yesterday, and tomorrow morning the will be submitted to a different depart—and from that they will have to travel through

several others, merely (as, I am late) to have those different record, made in case of Fire &c. My master has afforded me his signature in every instance where it was asked for, and has at all times manifested the most sincere friendship.

Fathers health is good, but apprehend he does not rest well, from the continual roaring of cannon & small Arms, in the capitol and altho they are not poised at him, yet he may not know when a random shot might inflict a slight wound—Tho, I am firmly of the opinion he is quit out of reach—altho tis openly avowed here that the sole object of the Northern & Eastern Gentry is to ride into power by exciting a feeling of hatred between the slave holding & non slave holding states; and with a view to affect that object they openly pronounce that slavery is not protected by the Laws of God or man.

I will look for your next letter (written after the receipt of this) at Lexington Va. and will ask at all the offices from that place to Reedyville for, and not only ask but look for a very minute detail of passing events in our town & country, and in exchange you will hear from me very frequently, after I bid adieu to this place, the period of which very desirable event will be looked for and hailed by me with very great pleasure.

Please present me to our friend, as, I have always asked you to do—and not as you formerly have done—If this charge is found to be untrue on my arrival, I will then ask your Pardon

The weather here for some days has been just such as we had last winter, tho at present we begin to look for snow. Your old friend Colo John W desired me to Represent him to you, & to state that nothing but the want of time prevented him from writing— adieu Farewell

JOS. McMINN.

Honl

Secy of State Ten

If Mrs. McMinn has gone to Nashville please forward the letter addressd to her by first mail.

J. M.

[Box Mc 1, No. 83.]

Washington City 2d Aditors office

22 Feby 1820

Dear Secy—

I avail my self the opertunity (in the absence of Master Jack)

to acknowledge the receipt of your letter 1st Inst, in which I am happy to learn that the Blanks arrived safe, and ere this reaches you, you will no doubt have recd, one other enclosed, in favor of the appointment of Mr. I. P. Erwin—as Notary Public. I recd, this morning an honorable representation in favor of a Mr. D. Keller with whom I suppose I am not acquainted, nor had I any reason to believe the office would have been sought for, or tis possible I would have delayed the appointment, longer than I did, tho I must suppose the Public will be as well served by Mr. Erwin as any other Gentleman, which is the grand object with me, or at least it ought to be— Here comes master and I must bid you Good morning

Honl

JOS. McMINN.

Secy of State

[Box Mc 1, No. 84.]

War office 23d Feby 1820.

Dear Secy—

I wrote you yesterday, and now have a similar opertunity as the Secy of War has not arrived—my business is very near a close, and in my next, hope I shall be able to give you the result—I continue in fine health indeed, and such is the state of my suit, say Jem & Alexr.—

Colo Williams is well and wishes to be remembered to you,—

Adieu farewell

Secy of State.

JOS. McMINN.

[Box Mc 1, No. 85.]

Washington City 26 Feby 1820

Dear Secy—

I have the pleasure to announce, that my accounts are all settled in the Second auditors office, as much to the satisfaction of all parties as any accounts ever was, evan between Father & Son, but still I am compelled to remain a few days to await their passage thro the other offices, and procure copies which will be satisfactory to my friend, and my self hereafter, altho there never will be any further necessaty for them.

The Missouri question occupies the almost exclusive attention of the House of Rep When or how it will be settled God only knows, Tho I pray he may continue to bless the american People & keep them in the bond. of Brotherly and national Love,

Represent me &c &c

Honl

Jos. McMINN.

D. Graham

[Box Mc 1, No. 86.]

Mr. Stepen, Saturday night

Dear Secy

4 March 1820

I write this letter 56 miles S. West the City of Washington which place I left on the 2d inst at 12 Oclok, all well with the exception of my self, and I have nothing to complain of but a bad cold,—our Senators and representatives are all well and desired me to Represent them to you, on my return, but fearfull that I might forget thought it best to send on by mail &c—

The missouri question, I presume was put to rest this evaning, by either compromising on the Bill, for her and maine being rejected in the Senate,—by the proposed compromise a line was to be run in Latitude 36.30 north from the Mississippi—Tolerating all South anl west of that line to be settled with Slave holders & prohibiting Slavery North and west of said line, this measure has been with a Committe of both Houses for some 3 or 4 days—and I, entertain no doubt but that those terms will be proposed to both houses, but I think it quite probable the H of Reps will disagree, if so the Senate will reject both bills as before stated, and then I hope Missouri will take the Steps of her neighbor Tennessee, by which means I think she certainly will be admitted—

I closed my business with the Dept on 28 ult, to the entire Satisfaction of all concerned, and I am greatly pleased I do assure you to find my Self on the way to Tennessee, particularly as the road, & weather are very fine—To morrow night I hope to be in Stoverston 24 west of this place—please remember me as usual and believe me I will be glad to see you and all others of my fellow Citizens—pleased send the enclosed—

adieu farewell

Jos. McMINN.

[Box Mc 1, No. 87.]

Lynchburg 13th March 1820

Dear Secy

Major Risque who is owing me some money has beat me to this place, and now I am told he is at Campbell Court where I propose to visit him tomorrow God willing, in doing I will loose one day more, tho as the debt has been standing upward of eight years, I think it my duty to attend to its collection, and the only circumstance I regret is detention from my official duty, which I have no doubt will be pardoned by the generous freemen of Tennessee—I have been Stopped 4 days since the date of my last by rain, Snow, hail & high waters, and this day altho excessively wet, I have traveled upward of 20 miles

please remember me as usual Your friend
JOS. MCMINN.

Honl D. Graham.

[Box Mc 1, No. 88.]

Nr Canton 27 March 1820

Dear Secy

Your favor of the 3d inst was handed me on yesterday evaning on my arrival here, the contents read with great satisfaction &C—I am sorry Colo Bradfords case could not have recd, more early attention, tho I hope no disadvantage will result, as I do not conceive an election can be held upon legal ground, When an appeal was obtained in due form, however I will endeavor to obtain information, and put the parties to rest as far as within my Power

The road, have been unusually bad for upward of two weeks, which has so far reduced my horses as to render a stay here of a few days indispensable, in order to recruit for the balance of the trip—nothing has occurred since my last from Salem, in any degree interesting to you or my other friend, in Murfreesboro, except that I have been informed, that a very strong desire exists in the west relative to a Call of the Legislature; but for what I have not distinctly learned, and therefore can only say to those who Speak to me on the Subject, that for my Self I know of of necessaty that would Justify the expense—But that my mind Shall at all times be open to conviction, and

ready to pursue Such measures as may be dictated by a Solemn regard to my duty and the general interest of the State—

One of the letters alluded to by your last I presume reached me the day on which I left the City, and presume its receipt has been acknowledged ere this—I will keep you advised of my movements as I progress to the west, and beg you to (do what I know you will namely) keep the public mind at rest as far as possible untill I return—In doing which you may safely say that I first embarked in the Cherokee business for the single purpose of promoting what I conceived to be the best interest of my Country, which has driven me into the necessity of making this Tour to the City to Settle my accounts which no other person could have done, without my Suffering a very great Sacrifice. —

Honl

D. Graham.

Adieu farewell

JOS. McMINN.

[Box Mc 1, No. 89.]

Knoxville 11 April 1820

Dear Secy

Your favor of 19th ult was handed me yesterday evaning on my arrival—have read its contents with great pleasure, particularly where you refer to the sweet expression made by Miss Slaughter in relation to my return —

I am detained here to day in adjusting Some old Cherokee business Tho am nearly through and tomorrow morning God willing I Set my face for the west once more—my Suit and horses all in fine plight for travelling—tho have to make a Stop in Kingston to Settle with the militia who Served as Guardsmen at the agency—from which place I will write you again —

Adieu farewell

JOS. McMINN.

please attend to the Standing order remember me to all inquiring friends J. M.

[Box Mc 1, No. 90.]

STATE OF TENNESSEE, No. 15315.

To all to whom these presents shall come, Greeting:

KNOW YE, That by virtue of part of certificate No. 160 dated the 9th. day of July 1807. issued by [SEAL.] the board of commissioners for West Tennessee to Hardy Murfree for 274 acres and part of warrant No. 1474. dated the 2d. day of April 1798. issued by John Carter entry taker for Washington County to Martin Treaver for 625 acres, and entered on the 22d. day of October 1816. by No. 4172.

There is granted by the said state of Tennessee, unto Thomas Hopkins assignee of the said Hardy Murfree and Martin Treaver A certain Tract or Parcel of Land, containing one hundred acres, by survey bearing date the 20th. day of October 1817. lying in the third District in Warren County on the waters of Collins river, and bounded as follows, towit Beginning at a black oak twelve poles east of the south east corner of a 200 acre survey granted to Joseph Colville, running thence south one hundred and two poles to a white oak, thence east fourteen poles to a stake in Christian Shells line, thence north with said line twenty poles to pointers said Shells N.W. corner of a 50 acre survey, thence east with a line of the same sixty four poles to a stake thence north seventy two poles to Jacob Weavers S.W. corner, continuing the same course in all two hundred and two poles to a black oak, thence west seventy eight poles to a stake, thence south to the Beginning

With the hereditaments and appurtenances. To have and to hold the said tract or parcel of Land with its appurtenances, to the said Thomas Hopkins and his heirs forever. In witness whereof, JOSEPH M'MINN, Governor of the State of Tennessee, hath hereunto set his hand, and caused the great seal of the state to be affixed, at Murfreesborough, on the 28th. day of March in the year of our Lord one thousand eight hundred and twenty one and of the Independence of the United States the forty-fifth.

BY THE GOVERNOR,

Jos. McMINN.

Daniel Graham
SECRETARY.

Thomas Hopkins is entitled to the within mentioned tract of land.

D. MCGAVOCK, Register
of West Tennessee by
F. MCGAVOCK, D. R.

Recorded in the Register's office of West Tennessee 8th July
1822. F MCGAVOCK D Reg

CORRESPONDENCE OF GEN. JAMES ROBERTSON.

(282)

War Department Dec. 22, 1803.

Sir:—By the direction of the President of the United States, the following instructions have been given the several Indian agents:

“Many inconveniences having arisen from parties of Indians visiting the President of the United States who have no business of such importance as might not be adjusted by the agents, and who often suffer on their way for want of proper passports and the necessary arrangements for their accommodation on the journey, you will therefore inform the Indians within your agency, that in future when any of them wish to visit the President that they must inform you of their intention, and the number and rank of their Chiefs, in which case, if their request appear reasonable you will give information to this office of the number & that proper passports may be forwarded to you to be delivered them when they set off.”

But notwithstanding these precautions some stragling parties find their way to the seat of government without the knowledge of the agents and frequently without any interpreter, which is not only embarrassing to the President, but attended with considerable expense to little or no purpose, and as such parties usually call on some officer of the state unto which they first come, for passports or some directions or assistance, it is the wish of the President that you would be so obliging as to give directions to the officers and magistrates of your state to discourage any such parties from coming on, and if possible prevail on them to return home, and inform them that the President will not be pleased with their visit unless under the regulations before recited.

I have the honor to be with esteem,

Your humble servant,

Signed, H. DEARBORN.

His Excellency Archibald Roane,

(283)

NASHVILLE, May 30th, 1803.

Sir:—

I make no doubt you have had information that I am a candidate in the next election for Governor——Many are the efforts now endeavoring to be made, in order to traduce and degrade my character, which I view with that contempt and disdain that calumniators and defamers are entitled to meet with. Permit me sir, to observe, that I have long resided within the state of Tennessee, whose citizens have more than once honored me with their confidence in different appointments; How far I have discharged the trust reposed, is for my fellow citizens, and not myself to say.

Vain would it be in me to attempt imposing on the understanding of so many enlightened characters as are contained within the State of Tennessee; neither can I descend into a sycophantic flattery, or a jesuitical probity. I am destitute of both principles or calling, that would either punish the innocent or extricate the guilty perpetrators. Should I be fortunate enough to have any friends in your country, I wish them to conduct only as becomes Americans, republicans and independent citizens; not to become dealers in scandal, nor revilers of characters—If I should be happy enough to merit their support, I shall duly contribute to their prosperity and welfare, and gratefully remember their friendship in such manner as my feeble abilities may enable me—As to what has been so illiberally insinuated respecting titles for lands, I can answer, that if there be any deficiency in mine, the laws can be readily employed to vitiate and annul them, and it is well known there are dealers enough in the article of land, to rejoice at such an opportunity. I will observe to my friends that I am authorized to declare, that I am fully possessed of documents and proofs to convince an impartial world, that I have not procured any titles for land, but such as I have fully paid the monies for, long previous to their being obtained; and whether or not there is a fraud in the obtaining titles under such circumstances, I leave every candid person to put the question to himself and determine—It would far exceed the bounds of a letter, to give to my friends a full and concise statement of all the business alluded to, but hope what is here stated will be thought sufficient to satisfy every reasonable person so far at least, as to suspend any un-

favorable opinions that might be occasioned from the insinuations thrown out from persons very materially concerned and interested.

Your friend and humble servant,

JOHN SEVIER.

Please make this letter known to the people of your neighborhood.

(284)

SOUND CREEK, April 16th, 1803.

Dear Sir:—

I received your favor of the 18th of March and was happy to hear of you and your family being in good Health as we are at present. With respect to the Patten you wrote for I cannot find it amongst my papers but your examining the register's office when the grant was received you may find anything necessary. My Brother William starts this day for Nashville. I wish you to be so kind as to go with him to see the land—the arrival of the French Prefect at New Orleans and the exportation of French troops is all the talk how well it may turn out in the end is doubted.

I am sir with friendship your obedient servant,

JAMES HOGGATT.

(285)

KNOXVILLE 26 Sep. 1804.

Dear Sir:—

Since my last I have nothing very material to inform you of, the Indians are to meet at Tellico, and will begin to convene about the 10th of next month, from every information I have been able to obtain, we shall do something with them perhaps that may prove beneficial to our State.

I shall not set out from home before the 10th, and hope to meet you at Tellico, should you not come up higher in the country—I shall provide at this place some suitable articles for our accommodation at the treaty, and have them taken down to the block house. If you could find an opportunity to send in to me, about one hundred dollars it would be very useful, as I have not any chance of getting one dollar out of the treasury here, a bill or two could be sent by the post, & it would be proper to take the

No. and date, and also endorse them for fear of their getting into improper hands.

Your friend very sincerely,

JOHN SEVIER.

General Robertson—

(286)

General Robertson:—

Sir:—I shall forward the paper to you by Mr. Luney which I obtained for working the road on Mero District. The horse you will please to send by Mr. Luney at one hundred and twenty dollars price and the balance for cash except one hundred dollars which I got a certificate for at the last Assembly. The paper calls for \$340.00, from the balance of the paper which I obtained from the Assembly their paper allowing 120 dollars for the horse and making the balance in cash to the amount of 155 with the price of the horse will be satisfaction to me for the full amount of the bill your compliance will much oblige yours & and this shall be your authority to receipt for me.

Mr. Luney's receipt will be as good as if I had signed the paper myself.

ROBERT KING.

(287)

NASHVILLE 24th August 1804.

Dear Sir:—

Your letter of the 12th instant had arrived safely, and the contents I have duly observed. It is true as Doctor Claiborne informed you, that the Assembly has not appropriated anything towards defraying the expenses of the agents who are appointed to attend the treaty. But as that essential part of the business by the Assembly has been neglected or omitted, it must be remembered as much as possible by the Executive, first that the agents cannot attend the treaty with any expectation of being useful to their country, and do credit to themselves, and the state they represent, without being furnished with the necessary supplies, to say nothing about the degraded position they would be placed in. I enclose a copy of my address to the treasurer of Mero, for four

hundred dollars, which I hope he wont hesitate to advance, and this sum if obtained must suffice for both of us as well as possible, tho we know it is too diminutive a sum to go any length on so important and interesting a matter as the same is to the state of Tennessee. I must rely on you to use your influence with the treasurer and procure the money if possible. Our treasury here contains not a single dollar, and nothing can be expected with us. I am sanguine in my expectations that the grand work of something very important to the state of Tennessee may be laid at the approaching treaty—I flatter myself a mutual accordance will exist among the commissioners and agents and such harmony prevail as will be beneficial towards observing the desired object. I greatly lament the want of funds.

I hope you will not entertain the most distant idea of withdrawing your attendance from the treaty—there never was a better time & more to do. and your attention more necessarily required. Numbers of the good citizens of the State request our attention and have faith we shall be useful, and under the divine hand of Providence I trust we may be instrumental in doing some good.

Would it not be advisable for you to keep up a correspondence with General Smith, and endeavor to find out and become acquainted with the expectations and views of the commissioners.

I shall be greatly obliged by a line from you as soon as convenient—I am sorry I have not more leisure to write to you now on the subject of the treaty.

Your friend & humble servant,
JOHN SEVIER.

Gen'l Robertson.

(288)

KNOXVILLE 7th. November 1804.

Dear Sir:—

After your departure from Tellico I had with Col. Meigs and Gen'l Smith a conversation on the subject of your going into the Chicasaw Nation—They both seemed anxious you should immediately proceed. I wish you may soon find it convenient to take the trip. As to any thing else for you to do on the errand you will go upon I will not say anything, as you are better acquainted

with such matters than myself—I will wish you to widen the dispute as much as possible in convincing the Chickasaws that they may have a right, and that it would be well for them to get something for their lands as to let the Cherokees have it all. You know best how to move them. Your letter on the subject of the road did not come to hand til after the day. But they underbid you near three hundred dollars.

Your friend & Humble servant,

Gen'l Robertson.

JOHN SEVIER.

(289)

SOUTH WEST POINT,

21st Dec. 1804.

Sir:—

I have been favored with your letters of the 18th and 28th of November & of the 11th instant. I have also received Mr. Allen's letter to you covering a copy of the Instrument from President Washington under the seal of the United States, acknowledging the Chickasaws' claim to land on the North side of Tennessee, pointing out their boundaries and pledging protection of the same to them.

I thank you sir for all the exertions you have made in procuring the wished for information. I am now satisfied that the Chickasaws have an undoubted right to all those lands & am fully convinced that there was an error at that early period in the treaty at Hopewell and Holston in ceding a great part of those lands to the Cherokees. At that time accurate information was with difficulty obtained of the rights of the Indians tribes. The closing of these claims may cause some trouble to the United States but we must make the best arrangements we can & do justice to both these Nations.

The Chickasaws had better sell their right as soon as they can, for until this is done the Cherokees will talk about their claim—when the sale is made there will be an end to the extravagant claims of the Cherokees. The more I reflect on the business, the more I am convinced that the Cherokees have no right to these lands.

When I first came into this Agency, the Cherokees sometime

called this land theirs, at othertimes they called it the middle hunting ground, & the hunting grounds of the Four Nations and their conduct for several years past indicates that they are doubtful of the validity of their claim. They have but recently had a few settlements on any part of their land. The settlement made by Doublehead was I believe projected by the Cherokees as an Essay to try their title. The Cherokee Chiefs once sent to me a remonstrance against our garrison being placed at Bear Creek, this was another Essay to try their title. I sent them the treaty held in 1780 with the Chickasaws at Hopewell, showing the grant of the place for a garrison or trading post. this silenced them, and they have never since opened their mouths to me on the subject. All these circumstances confirm me that they have only partial claim at most, for any part of that land.

To save expense I wish we could have an assurance that the Chickasaws will sell before a treaty is called for. But at all events I think we ought to have a treaty, for as you observe in your letter of the 11th Instant, the purchase of the Chickasaws will hasten extinguishment of the Cherokee claims to the lands, between East & West Tennessee.

If the Chickasaw Chiefs should make a visit to the Seat of Government which you mentioned as about to take place, perhaps the cession will be made then but this is uncertain, & I think a treaty should be called in the spring. In order to induce Congress to make the necessary appropriation, I presume it may be urged that within a very short time after the lands are ceded, the lands on which there is no warrants laid will sell, by which the treasury will be much more than reimbursed the amount of the appropriation. The purchase of the land will greatly relieve a great number of persons who have invested their money in those lands & who are justly looking up to the government for an extinguishment of the Indian title.

I hope Sir you will continue your exertions to bring about so desirable an object as the extinguishment of the Chickasaw claim to all the lands on the North side of the Tennessee except a reserve for George Colbert about his ferry. It is my opinion that there can be no difficulty in his having some land about his Ferry, also an equivalent for the sum which was deducted from his account which you mentioned. This will be all settled to his satisfaction at the treaty when the Cession takes place.

It is not in my power now to write to General Smith & as it is proper that we all perfectly understand each other, I will thank you to communicate this for his perusal.

I am Sir,

Very respectfully,

General Robertson.

RETURN J. MEIGS.

(290)

HAWKINS COUNTY 10th June 1804.

Dear General:—

Permit me to congratulate you on the happy result of Colonel Robertson's mission to North Carolina, which I presume you will be apprised of prior to this letter. In my opinion (General) the present period is amongst the most propitious that the Inhabitants of Tennessee has ever witnessed.

From the latest letters which I have received from Congress, I discover the Memorial of the Tennessee Legislature has been under the consideration of a select committee, who have reported in favor of an appropriation for exchanging land on the West Bank of the Mississippi for those held by the different Tribes of Indians on the East. Should such an event take place, of which I do not feel disposed to doubt, we should then be ready to cultivate the fruitfull of the Mobile, Mississippi and Tennessee Rivers. and enjoy without molestation all the commercial advantages thereto belonging, which appear to be assigned by Heaven as the Rightful inheritance of the Sons of the West.

I should be happy to hear from you at all times, and be well assured it will give me pleasure to hear of your happiness thro' life. Present my Respects to Doctor Claiborne, Colonel Lewis and any others of my friends to whom it may be convenient. As soon as the Doctor Returns from the expedition I shall expect to hear from him. I am in great Haste Sir your friend & Humble servant,

JOSEPH McMINN.

General Robertson.

(291)

No. 145. As auditors for the county of Davidson, this is to certify that a claim for Robert King and Party is exhibited to us by

Colonel James Robertson & Col. Robert Hayes (said claim proved by the oath of the said Hayes) and was allowed the sum of three hundred and forty pounds payable by the District of Mero.

R. WEAKLEY,

Oct. 9th, 1789.

C. HICKMAN.

(292)

The Honorable Commissioners of the State Tennessee.
Brother:—

You mentioned to us yesterday that you wanted a Road from Nashville to Georgia to go into the road which was granted south west point last fall—which leads through our country.

As we have not had due consideration of that grant, therefore we do not wish to grant it at this time, till our people are satisfied the advantages arising of the above mentioned grant. we remain, your

friends & brothers,

Tono tiskee

the Broom,

John McLemore.

C. H. Hicks

Interpreter October 20th, 1804.

(293)

in the morning.

SOUTH WEST POINT 29, Sep. 1804.

D. Sir:—

I have just now arrived at this place, am told that Col. Meigs is gone on to Tellico—in a few hours I set out for the same place. Till I see him I cannot venture to give an opinion as to the event of the treaty. I hope you will be at Tellico about the 10th of October and that nothing will prevent you from being there—Mr. Clark I find has hopes that we may succeed with the Indians but he speaks of certain Chiefs whose opposition was never much dreaded. I would write very frequently to you, but you will be on the road by the time this reaches you.

I am sir with regard and esteem your obedient servant,

DANL SMITH.

(294)

NASHVILLE.

General Robertson:—

Agent Colbert together with several others of his brother Chiefs desired me to give you a short talk, which is as followeth: They say that the Cherokees have sent to them & desired them to come up to the present treaty in order to there investigate their different titles to the disputed territory. So Colbert answered them that if the United States through any proper channel had made this request it would have been attended to—He further says that you know the extent and boundary of their claim, that when the treaty was held at your house it was then all talked over, & we therefor hope you will not now stand by & see the Cherokees do him any injustice.

For my self I find (for I left the Muscle Shoal the day before yesterday) that D. Head is altogether opposed to selling one foot of land and when he asked me whether the Chickasaws would sell their land on this side of the Tennessee River, & told him they would he appeared thunder struck. would it not therefore be right to keep alive this idea, and try by that means to alarm the Cherokees into proper measuers. It is a fact the Cherokees will sell if properly applied to.

But sir Double Head is a great rascal & Chisolm & Caldwell (the latter his brother-in-law) dictate to him, and it is them and such villians who prevent them from selling or doing anything that is right.

Again would it not be well in your correspondence with the Chiefs to suffer them, from the time you begin to the time you end, to hold no conversation with the Indian Country men?

Please keep these ideas to yourself, as I do not wish my name even to be mentioned.

I am in great haste your friend, W. J. C. ANDERSON.
8th October 1804.

D Head is sick and has not yet started up to the treaty.

(295)

KNOXVILLE 5th October 1804.

General James Robertson:—

Dear Sir:—

Your letter of the 27 ult. addressed to his Excellency Governor Sevier came to hand by this day's mail; the Governor being at

this moment absent, I have opened the letter, but am unable to say whether he will prefer your meeting him at this place or Tellico. I suppose he will not set out for the treaty earlier than the 9th of the month—I believe the Governor has made arrangements for some whisky, brandy, coffee, tea, sugar &, and suppose he expects to get beef &c in the neighborhood of Tellico.

Yours respectfully,
WM. MACLIN.

(296)

Department of War,
Accountant's office,
December 28, 1804.

Sir:—

The secretary of war handed me your letter addressed to him under date of the 6th instant, enclosing two depositions, & a letter from Col. Henley on the subject of a quantity of corn claimed for by General Robertson as supplied the Chickasaws and Choctaw Indians in the year 1795. On consultation with the Secretary he has decided that the claim cannot be admitted, the length of time which has elapsed since the transaction, & the want of law and precedent to govern in the case, are the reasons.

Congress alone can therefore make compensation.

WM. SIMMONS.

(297)

CHICKASAW NATION Jan'y 25, 1805.

Sir:—

I received your letter sent to Major George Colbert, and have listened to your talk—and you stated to us to know whether we would sell the land on the north side of the Tennessee. My friend you know very well that land is very expensive. If we were disposed to sell that land we would not sell it by the wholesale—when we are disposed to sell that land we will have it surveyed and have so much an acre for it the same as the white people does to one another with these lands. We cannot sell these lands. It is true the game is scarce and partly gone. That is the only place

that my children and warriors has to hunt and get their livings on at present. I hope will not think it any harm because we deny selling our lands—You mentioned to me that the Cherokees and my people were joined in war with the Shawanese. It is not so: we never was. when the Shawanese first came they came up the Tennessee and then up Bear Creek about thirty miles, and there left their canoes and came to war with the Chickasaws and killed several of our people—The Chiefs and warriors of my Nation turned out against them, and drove them off. From thence they went to the Creeks and lived there a while, and then they returned back, and crossed at the Chickasaw old field, above the Muscle Shoal, from thence they went on to Duck River and Cumberland river, and settled there, and the Chickasaws found them out, and two of our principal Chiefs in those days one named Opio Metihah and Ponshey Metahah, which in that day were the two principal chiefs of our Nation, they raised their warriors and went against the Shawanese and defeated them, and took all their horses, and brought into the Nation, and the Cherokees had no hand in the war, with us. we drove them ourselves without any assistance from any red people. My friend you mentioned to us that if we were not disposed to sell to let you know fully, so that Congress need not put themselves to the trouble and expense of calling a treaty. We are not disposed to sell now. But I have no doubt it will be the case one day or another, if so we can tell you. We have killed some game on that land yet. and we cannot sell at present. Some years past General Wilkinson, Col. Hawkins and General Pickens called a treaty with us at the Chickasaw bluffs. They requested a road through our country. we granted that request. The said commissioners said that Congress would not ask us to sell any of our lands—that it was not their request to ask any further favors of us after we granted them the favor of a road through our nation. My friend once the British lead us into darkness and gave us very fine talks, for us to join them against the Spaniards, and we did thinking they would always remain in this country. After they had lost their country and went off over the big water, we began to find our error—After the Spaniards got possession of West Florida, they wanted us to kill Americans and we would not—The Cherokees and Creeks did, and that caused them to lose the best part of their country and now they want to claim our land. If they had behaved as well as we have, their

country would not—— as well as ready that they were killing your women and children and spoiling them.

I am your friend and brother,

CHENNABE—King of the Chickasaws.
MAJOR GEORGE COLBERT,
OKOYE,
CHARLES FOX.

General Robertson.

(298)

SOUTHWEST POINT,

31st January 1805.

Sir:—

I enclose to you a copy of a letter received from the accountant for the War department, by which it will appear that the only mode to be pursued to obtain pay for the corn furnished by you for the Chickasaws and Choctaws in 1795, will be to make application to Congress.

I wrote to the Secretary of War on the subject of the Chickasaws lands. I gave him the substance of the information received from you with the addition of some information received from Mr. Mitchel and the Chickasaws with him. Viz., that they wish to sell in order that a white settlement may be placed between the Cherokees and the Chickasaws.

I informed the Secretary of the War that Mr. Mitchel and the Chiefs with him would not be at the Seat of Government untill late in February & that when arrived they could not give any new information on the subject. I did this, that the matter of appropriation need not be delayed on account of their coming forward. I have received a letter from the Chiefs at the M. Shoals informing me that they wished to have a road opened from Cumberland Settlement to pass by the Shoals to intersect the road to Georgia in a proper direction.

I am sir,

Very respectfully,

General Robertson.

RETURN J. MEIGS.

(299)

War Department,

March 20, 1805.

Sir.—

The President of the United States having appointed you as a joint Commissioner with Silas Dinsmoor Esquire, United States

Agent to the Choctaws, for holding Treaties with the Choctaw and Chickasaw Nations of Indians. I have herewith enclosed your commission with the necessary instructions.

Mr. Dinsmoor is directed to notify you of the time and place for holding the Treaty with the Choctaws, which I trust will be in the month of May, at some place in the Choctaw Nation. He is directed also to take measures for procuring suitable accommodations and provisions. A copy of the instructions have been forwarded to him also.

Should you have an occasion for 200 or 300 dollars, previous to setting out from your home, your bill on the department will be paid on sight—and if you can conveniently take on with you six or eight hundred dollars, in addition to what you carry on your own account, it will probably be found useful, as Mr. Dinsmoor may find some difficulty in obtaining as much money as may be necessary for defraying the expenses in that quarter. If you can procure such a sum for bills on this department, and can take it with you conveniently you will please to do so.

I am Sir very respectfully,

your obt. hum. Serv't,

H. DEARBORN.

General James Robertson.

(300)

NASHVILLE April 26 1805.

My Friend:—

I had hopes of seeing you this spring or summer at such place as your people should think proper to meet the Commissioners of the United States to Confirm the session of land named last fall and as it struck me found the price a good one but other business will prevent me I have supposed when the Nation considered them in truth, that if the Commissioners would give them in perpotion to the price offered at Tellico Block house, that the Cherokees would relinquish thare clame to all the waters of Duck river, beleaving it would be thare interest so to do and as it will give our commissioners and government much pleasure to remove so much of the difficulty which they doubt may be caused by the clame of the Cherokees and Chickasaws to that country. Since I saw you I have had a copy of the parchment given the Chickasaws by President Washington to thare clame of

land North of Tennessee, and I have seen George Colbert and another Chickasaw Chief who gave me the grounds for their clame, which I now think much better and stronger than I formerly had vewed it I will give you a sketch of thare clame. They say one of thare chiefs which has not been dead thirty years was the second in command in thare Nation and one that negotiated the business of the Cherokees in the case of thare boundarys, which begins on the Ohio at a point dividing the waters of the Tennessee river from the Cumberland so as to include all the waters of Duck and Elk rivers and then a direct course to the mouth of a creek emting into the Tennesse river on the South side which is called the flint creek and up that naming plases between the Chickasaws and creeks, the ground of thare clame is as follows: they the Chickasaws say that when the Shawnoes lived on Cumberland and Duck rivers that war broke out between them and the Chicasaws that the Chickasaws drove them the shawnoes from those two rivers that the Shawnoes went to the North and that shortly after there was war between the Chickasaws and Cherokees, that at the construction of peace between those two nations they agreed on the boundary above mentioned—that at that time the grate body of the Cherokee Nation lived on the East of the big mountain and had a very extensive country. on the Eastern waters and the heads of the western rivers—from — river to tombigby—that from those repeated wars they the Cherokees had fell back and encroached on the lands of the Chickasaws. George Colbert asserts that doublehead settled at the Shoals by his permission. I assure sir that it is from true friendship I bare to you that I am so particular in giving you information and nothing can render me more satisfaction than to be of service to you or the Cherokee Nation. A matter has turned up which I did not in the least expect when I last saw you. I am with Mr. Dinsmoor appointed a Commissioner to the treaty which I suppose will commence in the month of may next. Our instructions are to push all the Chickasaw clame on the North of the Tennessee River by the instructions from the Secretary of War. The government is very anxious to prevent any disturbance between the two nations Cherokees and Chickasaws—it will give me infinite pleasure to be any ways instrumental in uniting or preventing any discord taking place between these two nations of people and I think from the acquaintance you have with Mr. Dinsmoor, you

will not doubt his assistance in effecting so desirable an end. I shall sir be happy to hear from you at all times while I am your sincere friend and humble

Servant,
JAMES ROBERTSON.

p s

I expect the Cherokee Nation will send a deputation to Col. Meigs when they git reconciled to thare one interest as expressed in thare last talk respecting the sail of land. I know that no person on earth can have a stronger desire to reconcile the disputes which are between the Cherokees and Chickasaw tribes Respecting thare clame clashing.

(301)

LEXINGTON 5th May, 1805.

Sir:—

I have been engaged for some time in collecting materials for a history of the Indians wars in the Western Country from the middle of the last century to the Treaty of Greenville. Mr. Poyzer who honors you will lay before you my plan and inform you who I am. Should you have any papers in your hands relating to these wars or in any manner relating to Indian affairs, you will particularly oblige me for a sight of them. Mr. Poyzer will take charge of any communication.

Col. Isaac Shelby furnish [ed me] with many valuable documents and at [the] same time recommended me to apply to [you] for additional ones connected with the [affairs] of the frontier Indians.

I am sir,
with Respect,
ALLEN B. MAGRUDER.

(302)

CHOCTAW AGENCY, 13th May 1805.

Sir:—

I returned to this place yesterday after an absence of three months. I received your several favors of the 16 & 22 ultimo announcing our conjoint appointment to a commission for treating with the Choctaws & Chickasaws. I have not received any of the documents to which you alluded nor any communication from

the department of a later date than the 25th of October 1804 which contained instructions preparatory to a treaty with the Choctaws then in contemplation, under which instructions I have ascertained to my satisfaction the boundary between the two Nations.

Under the authority of your letter I will give notice to the Choctaw Mingoes & Warrioes to assemble at Hobukintooa on the 1st of June But you are well aware that I cannot cooperate with you until I receive official authority for so doing. Under these circumstances I cannot with propriety anticipate an official act which I may not be authorized to perform, that is to assent to the appointment of a secretary. Were I already commissioned I conceive it would be premature to give such assent till I could estimate the merits of the different candidates, for several have already offered their services.

I hope soon to have the pleasure of taking you by the hand.

Accept my respects,

SILAS DINSMOOR.

General James Robertson.

(303)

Mississippi Territory,
Washington County

.....
Personally appeared before me, Cap-
tain James Powell, of the County and
Territory aforesaid, and maketh oath that

in the year one thousand seven hundred and ninety five, that he was present at Pensacola in the dwelling house of William Pantton (Merchant of that place) and heard the said Pantton by one interpreter give a talk to a Chief of the Creek Nation in the following words: William Pantton asked the Indian Chief if many of the Americans passed through the Nation, to which the Chief answered yes. Pantton then told him that he expected that the Americans had settled nearly all around them (meaning the Creek nation) and would take away their lands, and the Indians would all perish, for the Americans now do not give them any presents, and that the only way to prevent the Americans from taking their lands was for the Indians to take the hair of the Americans, and that alone would have that effect.

Question: Do you or do you not believe from the whole tenor

of the said William Panton's conduct that he showed every disposition and done everything in his power to encourage the Indians to commit depredations on the inhabitants of the frontiers of Georgia and every other person said to be a citizen of the United States, and that he furnished them with arms and ammunition for that purpose.

Answer: I do believe that William Panton did encourage the Indians to commit depredations on the Americans, and also that he furnished the Indians with arms and ammunition for that purpose. On the Sunday I heard the above talk delivered by William Panton to the Indian Chiefs, he Panton said something about ammunition in that way, but the exact words are not now in my recollection.

JAMES POWELL.

Sworn to before me
this the 17th day of June 1805
William H. Hargrove.

(304)

War Department July 3, 1805.

Sir:—

Your favor of the 27 of May last dated Chickasaw Nation was received on the second instant and in answer thereto, I have the honor to remark, that if any particular individual, among the Chickasaws, who may be opposed to the proposed cession of lands, and who may have considerable influence with the Nation, can be induced to change the direction of his influence, by any reasonable means, the Commissioners will please to act in such cases as circumstances may require.

I have the honor to be
very respectfully sir,
your ob. Serv't

Gen. James Robertson.

H. DEARBORN.

(305)

CHOCTAW AGENCY 2nd. September
1805.

Dear Sir:—

I returned to this place on the evening of the 30th ult. I sustained some fatigue and inconvenience on the rout, but I believe

not the greatest ever endured by man. The Choctaws in the lower towns have been in council and I hear the talks are straight as we expected. The upper towns are now in council, the issue doubtful. I am informed, (but by the worst authority) that Pukshunnubbee's heart is crooked, that he says that I have spoiled one talk, & he wishes all spoiled. I called at the old man's dwelling, as I came down, but he was not at home.

I obtained at Natchez upwards of three thousand dollars; twenty six hundred of which, or perhaps more, may be appropriated to the expense of the Treaty, if you think much more will be wanted for immediate use, you doubtless can procure it at Nashville.

There is every prospect from the long continuance of the rains that this country will be visited with a dysentary. I should recommend that Doctor Claiborne should prepare some medicine to bring with him to obviate the complaint. The travelling continues still bad, we had to swim our buggy over four large water courses, coming from Natchez. The Pearl river was crossed on rafts of cane.

Make my compliments acceptable to friends.

I am very respectfully sir,
your ob. serv't

Gen. Jas. Robertson.

SILAS DINSMOOR.

(306)

NASHVILLE August 8, 1805.

Sir:—

I have taken the liberty of writing you seperately, believing their may have been something omitted in Mr. Dinsmoor and my joint letter respecting the Treaties with the Choctaws and Chickasaws Indians. With the former I have hopes of success should you think proper to order another meeting in their Nation, as Mr. Dinsmoor and myself have given them to understand you will, provided we have power to receive lands from the lower Towns in the fork of the Alabama & Tombigby Rivers, if it cannot be attained according to your first instructions—the large scope of country it may take I think will be no obstacle, as they have been well advised on that head—Expecting to return to the Choctaws we thought it proper to keep the Chickasaw treaty open until fall, leaving it in their power to relinquish more territory if they choose

—I do not at this time expect any more on the north of the Tennessee River, & think it not very desirable was it not for the advantage of that river. but I think it possible that that part contained in your instructions south of Tennessee and west from the mouth of Duck to the Mississippi River, may be got by making the same reservation as is on that part between the Tennessee and Cumberland Rivers below the mouth of Buffaloe; This stream empties into Duck River on the South side about ten miles above the mouth of Duck—We did not think ourselves at liberty to make such reservations without your instructions—The reason no amnesty was allowed in the late purchase from the Chickasaws was that they needed twenty thousand dollars to pay their merchants and traders. We conceived that from the extent of territory relinquished by the Chickasaws to the United States, we were authorized to allow them one thousand dollars amnesty, but thought could it be obtained without, and should you allow it, that your liberality would greatly strengthen their attachment to our Government. I conceive the Indian lands to be past rising in their own estimation, both nations complain greatly of the small price we were authorized to offer for their lands,

I am sir your servant.

A true copy.

JAMES ROBERTSON.

(307)

CHOCTAW AGENCY, 8th December 1805.

Dear Sir:—

I set out instantly for Hobukintoopa and thence through the Creek country to the seat of Government, accompanied by Mr. Chambers. I have no news. The Choctaws appear perfectly satisfied with their last bargain, and so am I if the Treaty should be ratified.

I find the journal of the conference among my papers which ought to have accompanied our letter of advice and treaty. I think it better that the doctor should make another fair copy to accompany the letter than to charge you or myself with the postage to Nashville.

Sir respectfully
your obedient servant,

SILAS DINSMOOR.

General James Robertson.

(308)

War Department August 27, 1805.

Sir:—

The letter signed by yourself and Mr. Silas Dinsmoor dated the 23rd ultimo, accompanying the treaty with the Chickasaws and other papers, and also your letter of the 3rd instant, have been duly received. The President of the United States being at Monticello, prevents me from immediately obtaining his opinion, on the subject of another conference with the Choctaws. The consent of the upper Choctaws at the late conference, was such as to induce a belief that another ought not to be held with them immediately. A cession of land on the lower part of the Tombigby may probably be obtained, without the formality of an expensive negotiation. The unexpected, and what appears to me to be, unreasonable and unnecessary expense of the conference lately held with the Choctaws will probably have some weight in future deliberations relative to future conferences with that nation. Mr. Chambers' bill for necessities, conveniences and luxuries for the Commissioners very far exceeds what had been contemplated.

It may not be improper to inquire of you what became of the articles purchased and which must have remained on hand at the close of the conference. Among the extraordinary articles for an Indian Treaty in the woods, for two Commissioners, may be noticed the amount of two hundred dollars for raisins, mace, cinnamon nutmegs pickles etc., and other articles in like proportion.

Presuming that the expenditures generally for the Treaty with the Choctaws had been made under the immediate direction of Mr. Dinsmoor my motive for mentioning the subject to you is merely to show that such things do not pass without notice.

I am very respectfully

Sir your ob. serv't

H. DEARBORN.

General James Robertson.

(309)

War Department August 29, 1805.

Sir:—

From the general knowledge, which I presume you possess of the country ceded by the Chickasaws at the late Treaty, I take it

for granted you can form a much more accurate estimate of the number of the acres contained in the cession, than can be made from any material possessed by the Government. I therefore take the liberty of requesting you to state, as correctly as your knowledge of boundaries will permit, the probable extent of the following lines, with an estimate of the number of acres contained in the cession, viz., the distance from the mouth of the Tennessee River to the mouth of the Duck River; the distance from the latter to the highway leading from Nashville to Natchez; the distance from the old line on the high ground to where the highway crosses Duck River; and the distance from Duck River, by the highway, to the waters of Buffaloe Creek; the distance from thence to the Chickasaws old fields on the Tennessee; the distance from thence, as the line probably run, to the head waters of Elk and Duck Rivers; and the distance from thence to the high way.

Please also to state the average width of the land between the old line on the high lands and Duck River to the westward of the high way and between the said old line & the Tennessee to its mouth.

I am very respectfully

Sir your ob. serv't

H. DEARBORN.

Gen'l James Robertson.

(310)

HOBUKINTOOPA 12 October 1805.

Dear Sir:—

I had the pleasure to receive this day your favor of the 26th September with several enclosed. I received also two letters from the Secretary of War, one censuring the anchovies of the Choctaw conference. I enclose you my answer. I think it highly interesting to the United States that you should come on immediately to meet the Choctaws in their present disposition. They offer more land than we asked the last time & in my opinion in a more important point as it will connect this district with that of Natchez by a belt about fifty miles wide on an average. I have no doubt we could obtain at least four and a half millions of acres, and if the present opportunity be lost it may be lost for years. Let me urge you to come and be at Pitchlynn's by the first of Novem-

ber at furthest. I will endeavor to have the Chiefs assembled by that time, & I think the business can be closed in a few days.

You will see by the enclosed that I have been very much indisposed and I do not expect to leave the house under a week.

I am very respectfully Sir,
your obedient servant,

SILAS DINSMOOR.

P. S. We shall have it in our power to wipe out the remembrance of the anchovies by the success of this treaty. I hope your fall from your horse will not prevent or render you unable to come.

(311)

HOBUKINTOOPA, 12th October 1805.

Sir:—

I have the last moment received your favors of the 28th & 29th of August to the contents of which I shall duly attend, though I can at present with difficulty sit up to write, being just on the recovery from a severe fever.

The result of the late councils in the Choctaws towns appears to be favorable to the interests of the United States, though not to the cession of land on the Yazoo. The great extent required in that favorite spot alarmed them & they now offer a tract along their Southern borders which will completely connect the district of Natchez with this county, & being extended eastwardly by the cession of the lower towns will amount to at least four and a half millions of acres. Pukhunnubbee has acted a very spirited part in the Councils. His warriors told him he must pay the debt with a small spot of ground. He replied, "I have tried that already, was made ashamed, and it will not do, we must give up enough to satisfy the claim." I wrote to General Robertson to come on immediately to meet the Indians in their present disposition and hope to present you a satisfactory account. The surplus of the supplies are reserved for that now in contemplation, and have been already removed into the Choctaw Country. By your authority I wrote to Mr. Chambers, making of him a requisition to make suitable arrangements for the comfort and accommodation of the Commissioners. The meeting took place before the supplies came, and when they did arrive, Mr. Chambers exhibited the in-

ventory and offered to withhold any part, and take on himself the loss which might arise from the disposal. This the Commissioners refused, and though a few unnecessary luxuries appear on the bills, I am persuaded, on investigation, that the whole supplies, (taking into view the number of Indians and the nature of the supplies) will be found to be made very economically. It ought to be known that though we were but two Commissioners and in the wilderness, the number at our table was at least thirty per day. Wine and brandy are as necessary to my health in this climate, as beef and bread to my subsistence.

I use both with temperance, and suffer none under my authority to use them to excess.

Mr. Chambers made the supplies not only promptly and on good terms, but in the manner entirely to the satisfaction of the Indians, and received the unequivocal approbation and thanks of the Commissioners.

I will avail myself of your previous permission and as soon as possible after the close of the conference set out for the seat of Government.

I am very respectfully

Sir,

Your obedient servant,

SILAS DINSMOOR.

The Honorable Henry Dearborn.
Secretary of War.

(312)

NASHVILLE October 26, 1805.

Sir:—

Yesterday I received a letter from Mr. Dinsmoor wherein he informs me that he had just received two letters from you & urged me in the strongest terms to come to an appointment where he has notified the Chiefs of the Choctaws to assemble in consequence of our having given them to understand that there would be a second conference should the whole nation come into the measures of the United States. He urges me to be at Mr. Pitchlynn's by the first of November which will be out of my power notwithstanding I set out tomorrow, the distance being upwards of three hundred miles and myself considerably disabled by a fall from

my horse which I sometime since received. I have hesitated since yesterday whether I should or could go on, but on reflection, it seemed that my going on as speedily as possible might save expense, whether Mr. Dinsmoor had received any further instructions from you or not, as it is more than probable the Indians would be assembled and wait sometime for my arrival; and fully believing as Mr. Dinsmoor does, should the present moment be lost, that there may not another offer for several years. I know that much pains has been taken exclusive of Mr. Dinsmoor's and Pitchlynn's influence, since we parted, to prepare the minds of the Indians, and I am confident that they have taken every measure to effect the wishes of the Government.

Mr. Dinsmoor informs me that the Indians offer more land than we asked for and that is in his opinion worth more—But sir, should Mr. Dinsmoor have further instructions than I have I should feel myself at liberty to finally confirm any purchase of lands except those described in my former instructions, but should I believe that an advantageous cession can be obtained, I will cheerfully co-operate with Mr. Dinsmoor and advise the Indians to disperse and delegate forever to a few principle Chiefs to confirm and assign the contract and wait your further orders which I hope you will forward as soon as possible to the First Master in the Chickasaw Nation—I have no doubt but Mr. Dinsmoor will join me in every measure to save expense and that will be to the interest of the United States. Mr. Dinsmoor did not mention in his letter to me that he has any late instructions from you, tho. in his to Doctor Claiborne (our Secretary) he mentions your letter to him authorizing the measure.

JAMES ROBERTSON.

A true copy.

The Honorable Henry Dearborn.

Secretary of War.

(313)

KNOXVILLE, 28th October 1805.

Dear General.

It is thought that this week will close the present session. Many and important considerations have received the deliberations of the Legislature, the Contents of which are too numerous for the

limits of this letter, between this and the rise I shall endeavor to compress in as small a compass as possible, the most important subjects, and whatever may have obtained maturity, and transmit the Same as early as practicable, The bill for dividing Mero into three judicial districts remains on the Senate table doubtful. the Bill for the establishment of Circuit Courts, was read the second time, in the house of Representatives, on Friday last and unanimously rejected. The Bill for retaking the enumeration was attacked on its first reading and rejected, to the great astonishment of the Mero Delegation, we shortly after entered a Bill to apportion the representation according to the late returns, this bill is now before the house; what may be its fate I know not, but hope for the best. I think some of the Hamilton members are beginning to view the consequences that will inevitably attend the rejection of such a Bill, Mero on her part has not been wanting to do anything which dispassionate reason could suggest to gain their consciences and inform their judgment. East Tennessee so denominated in the phraseology of the law, having long brandished the arm of power, in the Council of State, feel an awful struggling at laying it down, as the symptoms of her malady increase, the great moderation of Mero amid the Storm has not escaped the observation of all around.

We are just advised of the Conclusion of the present Treaty with the Cherokees, highly to the advantage of the United States, the line leaving the Tennessee at the mouth of the high way, which is about eight miles distant from the Georgy line, thence a direct course westwardly to the Ridge at the head of Buffalo. we expect more correct information on the subject, of which you shall be advised.

I am with considerations
of high Regard,

R. C. FOSTER.

Since writing the within, General William Polke has arrived in Knoxville, immediately from the Cherokee Treaty, which enables me to give you a correct statement of the Stipulations with that Tribe, which differs from what I have said within, \$17,000 appears to be the amount given, in manner following, that is to say \$3000 in hand, \$11000 in ninety days, and \$3000 annually forever, boundary beginning at the mouth of Duck River from thence a direct line, so as to strike the Tennessee River opposit

the mouth of the high wassee, thence up the middle of the Tennessee (reserving to the Indians all the Islands) to the mouth of the Clinch river also reserving to the Indians the bounds included between the Clinch river and a direct line from apposit a large Rock, below the mouth of Clinch to the Road, so as to cover the ferry landing, on the west side of the Clinch, also a mile square at South west point, and a mile square at the turn pike, provision is made for Road through different parts of their County on from Rutherford County to intersect the Road leading from South west point to Georgy.

I have not time to write to manny will you hand this to Dr. Robertson, for his perusal together with my respects.

R. C. FOSTER.

Gen. James Robertson.

(314)

SOUTH WEST POINT October 30, 1805.

Sir:—

On the 25th. inst. after much exertion we signed a treaty with the Cherokees. The line is as follows: Beginning at the mouth of Duck River thence up the main stream of the same to the junction of that fork, at the head of which fort Nash stood, with the main south fork, thence straight to the mouth of High wassee thence up the Tennessee to the mouth of the Clinch and up the Clinch to the former boundary—reserving to the Indians a tract of one mile square near the turnpike gate—another of the same size at the place where Talootyke lives and a small section on the west side of Clinch to the Cherokees to secure their ferries—There is also a reserve of three square miles at and below the mouth of high wassee for the particular disposal of the U. S. I made an effort to extend the boundary to the ridge dividing the waters of Duck river from those of Buffaloe but without effect.

However, the treaty is here so far as I have heard highly approved. There is also a stipulation for two roads one leading from some convenient place near the head of stones river and to fall into the Georgia road now in use at some suitable place near the Cherokee Southern frontier. the other to proceed from the neighborhood of Franklyn and to cross the Tennessee at or near the Muscle Shoals and to proceed on the direct rout to the Tennessee settlements—both of these roads to be laid out by over-

seers on each side—On the 27th inst. we signed another treaty with the Cherokees for the whole of this tract of land extending from the point to Kingston, together with the first land in the Tennessee above the mouth of Clinch. also the use of a road along which the mail is to be conveyed from Tellico to Orleans, as these treaties are not ratified as yet, the substance is communicated to you in confidence that no ill use will be made of it, as to publication or otherwise. To effect them has cost us much labor and trouble. we kept out of view as much as possible all the stands on the road—They will now expire by their own limitation. After settling the accounts for the expense of the treaty, which will probably employ me about two days more, I move on by Knoxville to Washington.

Gen. James Robertson.

I am sir with great regard,
your ob. serv't

DAN'L SMITH.

Col. Meigs has seen and approved this letter.

A deputation of the Cherokees have obtained leave of the Secretary of war to visit Washington. Their object is to claim the services of the U. S. in deciding between their and the Chickasaw claim. I submit it to you whether it would not be proper to inform the Chickasaws of this circumstance, that they **might** send a representative to support their claim—I should be glad to have a communication from you whenever anything material comes up.

(315)

RALEIGH December 14, 1805.

Dear Sir:—

I arrived here on the 17th of last month, the day before the meeting of the Legislature of North Carolina; and on the next day delivered to his Excellency the Governor, the memorial of the Legislature of the state of Tennessee, which he communicated to the Legislature of this state. The memorial was referred to the committee on the Governor's message, consisting of twenty-four members. That committee was sub-divided, and six members assigned to the part of the Governor's message relative to the business of the State of Tennessee. The sub-committee unani-

mously agreed and reported to the committee of twenty-four in favor of the memorial. The committee of twenty-four concurred with the sub-committee and reported to the house a bill to repeal so much of the law vesting Tennessee with the power of perfecting titles to lands, as acquired the assent of Congress, passed by the Legislature of North Carolina, in the year of 1803. This bill passed the first reading in both houses without opposition, but was rejected on the second reading in the Senate. It was contended by myself at the bar that in the house the grounds of opposition were irrelevant and fallacious. But nothing that we said could induce them to pass the bill.

The Legislature of North Carolina at their last session, by a resolution, directed their senators and requested the Representatives in Congress to procure the assent of Congress to the law passed in 1803 vesting the State of Tennessee with the power of perfecting titles to lands. The senators on the second of March 1805, made their report to the Governor, which was laid before the Legislature at this session in the following words:

"An attempt has been made, without success, to obtain the assent of Congress to the act of the Legislature of North Carolina, authorizing the State of Tennessee to complete titles, etc. Upon this ground the State of Tennessee has publicly avowed a claim to the unappropriated lands within her bounds, and it was therefore supposed she would feel less inclined to check frauds in favor of her own citizens than the State of North Carolina would; and in addition that she has less the means of checking frauds."

This report of the Senators, perhaps, gave currency to the unworthy idea, that Tennessee would be less vigilant in the detection of frauds than North Carolina. Although this idea was not avowed in debate, yet it is believed to have had considerable influence on the vote which was given. Some gentlemen of the Legislature who were at first friendly to the passage of the bill, were led away by some ridiculous reports that the government of Tennessee would connive at frauds and speculations, if the power of perfecting titles to lands should be transferred to that State. The State of Tennessee have become chargeable with frauds, when she has not had an officer in the land department, and the charge is exhibited by those who are the immediate authors of those crimes. I drew a resolution yesterday, and procured it to be passed through both houses of the Legislature, directing the Senators

from this State in the Congress of the United States and requesting their Representatives to use their best endeavors to procure the assent of Congress to the law transferring to Tennessee the power of issuing grants upon all incomplete claims for lands. This resolution will immediately be transmitted by his Excellency the Governor to the Representations from this State in the Congress of the United States. Should this measure again fail it is with the Legislature of Tennessee to determine what course they will pursue.

I am, sir, with high consideration,
your humble servant,
JOHN WILLIAMS.

EDITORIAL NOTES.

JACKSON AND SEVIER.

In the last issue of this Magazine two letters of the Robertson correspondence have attracted much attention. These were letter 280, pages 373-374, from John Sevier to Gen. Robertson, and letter 281, pages 374-381, from Andrew Jackson to Mr. Bradford. Both letters relate to the same subject, Jackson's charges against Sevier relative to fraudulent land warrants. Sevier's letter is dated Nov. 8, 1803, and is a friendly letter to Gen. Robertson, denying the charges of Jackson without going into particulars, and denouncing Jackson as "one of the most abandoned rascals my eyes have ever beheld."

Jackson's letter to Mr. Bradford is dated July 19, 1803, and is evidently intended for publication or distribution. It makes direct and specific charges against Sevier of fraud and forgery, and offers evidence in support of the charges.

The quarrel between Jackson and Sevier is well known to all students of Tennessee history. Its origin, however, has escaped observation. The first act of open hostility is revealed in the postscript of Gen. Jackson's letter on page 381.

Previous to this time, however, there had been a feeling of jealousy between the parties, with some recrimination and sharp correspondence. As far back as 1797 their letters show mutual irritation, but as yet they had not come into collision as candidates for the same office. It had been the purpose to publish this correspondence of 1797, with comments, in this issue of the magazine. Lack of space, however, excludes it, and it is reserved for the next issue.

THE American Historical Magazine.

VOL. V.

APRIL, 1900.

No. 2.

HALF AN HOUR WITH SOME EARLY VISITORS TO TENNESSEE.

BY JOHN M. BASS.

The archives of the Tennessee Historical Society contain the manuscript diary of John Liscomb, a merchant of Halifax, North Carolina, who, setting out from that place in April, 1784, traveled the usual road through Cumberland Gap and Kentucky to Nashville, where he arrived July 4th. Liscomb afterward settled in Williamson County, Tenn., where he died in 1820, and was buried in the family graveyard of Col. Hardy Murfree, who seems to have been one of the party on this journey. Others who accompanied them were James Cryer, Wm. Roberts, Ireland, Capt. Budd, Capt. Walton, Salisbury, John Gatling, Manley, Toney, Boyd, Cassity, Cols. Robertson and Cloud, and a negro named May.

The diary has no great value further than it shows with much clearness the hardships and privations which attended residence or travel in the southwest at the time. From Hillsborough they traveled 260 miles with five feeds of corn, and "Mr. Ireland's horse for hunger et a stick as big as his Great tow." On the 13th of June "they came 10 miles to a Branch near a house; borrowed a pott and cooked three hens which had been flung away, the stench being very bad from the hens; but however we made out the Breakfast with the hens with a few slices of bacon & half bushel of claber & buttermilk; then came to Capt. Thos. Amis' five miles where we had an exceeding good dinner with what good grog we could hide." The party occasionally killed a deer or buffalo, and once shot a sitting wild turkey hen, which the writer says did "not make a very fat broth, but it could be made hott."

On the road they stop at "Mr. Shawls to get their horses shod, and did not get nothing to eat but Rosin-years," of which Capt. Walton partook too freely, and was made sick. The negro evidently did not get his share of the rosin-years, for he ran away, taking the back track, and was not caught for several days. They pass on the road "an old woman's house which was built out of doors." "Roberts horse fell with him in Haw river among the rocks and run a great chance of being hurt & Roberts on him."

After spending the night of July 3rd at Red River Station, the party next day reached "the french Lick or Nashville where we continued in the neighborhood till 6th August 1784 frequently exploring the country out some times on Harpeth where the cain was so thick a man could scarcely ride; some times the youngsters reconnoitring the town of Nashville setting up all night till 2 o'clock in the morning."

Liscomb gives no further information of Nashville or its inhabitants, and what seems even more remarkable does not from beginning to end of his manuscript mention Indians, and this notwithstanding the fact that throughout this year Putnam says "the Indians made incursions into the (Cumberland) settlements and killed and plundered as they found opportunity and subjects."

In 1785 the French Government sent Andre Michaux, a distinguished botanist, to North America to study and collect plants. With great energy and courage he explored the United States and Canada for eleven years; in 1800 he accompanied a scientific expedition to Australia, and in 1802, while pursuing his researches in Madagascar, died of fever.

His son, Francois Andre Michaux, born at Versailles, France, in 1770, inheriting the father's talent and taste for botany, was also sent out by his government for investigation, and for many years traveled extensively in North America. His principal work, "History of the Forest Trees of North America," in four volumes, was published in 1810-13. In 1805 he published "Travels to the West of the Alleghany Mountains in the States of Ohio, Kentucky, and Tennessee," undertaken in the year 1802 under the auspices of the Minister of the Interior of France.

Some of his observations upon the people of Tennessee, as he spells it, are worth republication; especially as the book is long since out of print and quite rare.

Traveling from New York to Pittsburg, he visited, sometimes on foot, sometimes by boat, Wheeling, Marietta, and Gallipolis; thence passing through Lexington, May's Lick, Paris, and other towns in Kentucky, he entered Tennessee.

"On the 27th of August (1802)," he says, "I set off very early in the morning; and about thirteen miles from Mr. Kesley's I crossed the line that separates the State of Tennessee from Kentucky. There also terminates the Barrens; and to my great satisfaction I got into the woods. Nothing can be more tiresome than the doleful uniformity of these immense meadows where there is nobody to be met with; and where, except a great number of partridges, we neither see nor hear any species of living being, and are still more isolated than in the middle of the forests.

"The first plantation that I reached on entering Tennessee belonged to a person of whom I entertained a very indifferent opinion, by the conversation that he was holding with seven or eight of his neighbors, with whom he was drinking whisky. Fearing lest I should witness some murdering scene or other, which among the inhabitants of this part of the country is frequently the end of intoxication, produced by this kind of spirits, I quickly took my leave, and put up at an inn about three miles farther off, where I found every accommodation. The late Duke of Orleans' son lodged at this house a few years before. On the day following I arrived at Nashville, after having traveled twenty-seven miles.

. . .

"Nashville, the principal and the oldest town in this part of Tennessee, is situate upon the river Cumberland, the borders of which, in this part, are formed by a mass of chalky stone upwards of sixty feet in height. Except seven or eight houses that are built of brick, the rest, to the number of about a hundred and twenty, are constructed of wood, and distributed upon a surface of twenty-five or thirty acres, where the rock appears almost bare in every part. They cannot procure water in the town without going a considerable way about to reach the banks of the river, or descending by a deep and dangerous path. When I was at Nashville one of the inhabitants was endeavoring to pierce the rock in order to make a well; but at that time

he had only dug a few feet, on account of the stone being so amazingly hard.

"This little town, although built upwards of fifteen years, contains no kind of manufactory or public establishment; but there is a printing office which publishes a newspaper once a week. They have also begun to found a college, which has been presented with several benefactions for its endowment, but this establishment was only in its infancy, having but seven or eight students and one professor. There appeared to be from fifteen to twenty shops, which are supplied from Philadelphia and Baltimore, but they did not seem so well stocked as those at Lexington, and the articles, though dearer, are of an inferior quality. The cause of their being so dear may be in some measure attributed to the expense of carriage, which is much greater on account of the amazing distance the boats destined for Tennessee have to go up the Ohio.

"There are very few cultivators who take upon themselves to export the produce of their labour, consisting chiefly of cotton; the major part of them sell it to the tradespeople at Nashville, who send it by the river to New Orleans, where it is expedited to New York and Philadelphia, or exported direct to Europe.

"The inhabitants are very engaging in their manners, and use but little ceremony. On my arrival, I had scarcely alighted when several of them who were at the inn invited me to their plantations.

"All the inhabitants of the western country who go by the river to New Orleans, return by land and pass through Nashville which is the first town beyond the Natches. The interval that separates them is about six hundred miles, and entirely uninhabited; which obliges them to carry their provisions on horseback to supply them on the road. It is true they have two or three little towns to cross, inhabited by the Chicasaws, but instead of recruiting their stock there, the natives themselves are so indifferently supplied, that travellers are obliged to be very cautious lest they should wish to share with them.

"On the fifth of September I set out from Nashville for

Knoxville, with Mr. Fisk, sent by the State of Tenn. to determine in a more correct manner, in concert with the commissioners of Virginia, the boundaries between the two states. We did not arrive till the 9th at Fort Blount, built upon the Cumberland about sixty miles from Nashville; we stopped on the road with different friends of Mr. Fisk, among others, at the house of General Smith, one of the oldest inhabitants of the country, where he has resided sixteen or seventeen years. It is to him that they are indebted for the best map of this state, which is found in the Geographical Atlas, published by Matthew Carey, bookseller, at Philadelphia. He confessed to me notwithstanding, that this map, taken several years ago, was in many respects imperfect.

The General has a beautiful plantation cultivated in Indian wheat and cotton. In his leisure hours he busies himself in chemistry. I have seen at his house English translations of the works of Lavoisier and Fourcroy.

"We likewise saw, en passant, General Winchester, who was at a stone house that was building for him on the road; this mansion, considering the country, bore the external marks of grandeur; it consisted of four large rooms on the ground floor, one story, and a garret. The workmen employed to finish the inside came from Baltimore, a distance of nearly seven hundred miles.

"Between Nashville and Fort Blount the plantations, although always isolated in the woods, are nevertheless, upon the road, within two or three miles of each other. The inhabitants live in comfortable log houses; the major part keep negroes, and appear to live happy and in abundance.

"Fort Blount was constructed about eighteen years ago, to protect the emigrants who came at that time to settle in Cumberland against the attacks of the natives, who declared a perpetual war against them, in order to drive them out; but peace having been concluded with them, and the population being much increased, they have been reduced to the impossibility of doing them farther harm, and the Fort has been destroyed. There now exists on this spot a beautiful plantation, belonging to Captain William Samson.

"Knoxville the seat of government belonging to the State of Tennessee is situate upon the river Holston in this part nearly 150 fathoms broad. The houses that compose it are about two hundred in number and chiefly built of wood. Although founded 18 or 20 years ago, this little town does not yet possess any kind of establishment or manufactory except two or three tan yards. Trade notwithstanding is brisker here than at Nashville. The shops though very few in number are in general better stocked. The tradespeople get their provisions by land from Philadelphia, Baltimore and Richmond in Virginia. The price of conveyance from Baltimore is six or seven dollars per hundred weight.

"They send flour, cotton and lime to New Orleans by the river Tennessee; but this way is not so much frequented by the trade the navigation of this river being very much encumbered in two different places by shallows interspersed with rocks. We alighted at Knoxville at the house of one Haynes, the sign of the General Washington, the best inn in the town. Travelers and their horses are accommodated there at the rate of five shillings per day; though this is rather dear for a country where the situation is by no means favorable to the sale of provisions which they are obliged to send to more remote parts. The reason for things being so dear proceeds from the desire of growing rich in a short time, a general desire in the United States where every man who exercises a profession or art wishes to get a great deal by it and does not content himself with a moderate profit as they do in Europe. There is a newspaper printed at Knoxville which comes out twice a week, written and published by Mr. Roulstone."

Michaux states that the French Canadians called the Cumberland, Shavanon River; the Tennessee, Cherokee River, and also says the signification of the name Tennessee was unknown to the Cherokees and Choctaws, and infers that it had been bestowed by some tribe who preceded them.

He says that settlers in West Tennessee for the first year, and even travelers, are subject to an exanthematic affection, very appropriately called the Tennessean itch, and that he cured himself by repeated bathings in Cumberland and Roaring rivers. He regards the manners of the people of Tennessee and Kentucky as very similar, but the Tennesseans appear not so re-

ligious, although they are very strict observers of Sundays. There were few churches in Tennessee, and itinerant preachers wandered in summer through the country and preached in the woods.

Michaux visited the iron works thirty miles from Knoxville, surveyed the banks of the Nolachucky, and passing through Greeneville and Jonesborough made his way by North Carolina and Georgia to Charleston, S. C., whence he sailed for France March 1, 1803.

In 1796 & 7 Francis Baily, an Englishman, then only 22 years of age, who afterward became president of the Royal Astronomical Society, and who wrote as many as 91 treatises and addresses, principally on astronomical subjects, made a tour of the unsettled parts of North America; on his way from New Orleans to New York he traversed Tennessee on horseback, spending a few days at Nashville, and traveled alone over the greater part of the wagon road from Nashville to Knoxville.

Parton's life of Jackson contains such copious extracts on Tennessee from Baily's interesting story of his travels, published in London in 1851, after his death in 1844, that only some of its striking incidents need be reproduced here.

Baily, before visiting Middle Tennessee, had gone from Cincinnati down the Mississippi to New Orleans in one of the flat-boats then in use, and gives this account of a short stop at Chickasaw Bluffs, now Memphis:

"At sunset May 2 (1797) we came to Chickasaw Bluffs, called in Hutchin's Map the Cliffs of Margot. . . . There are here about five or six families settled who may be called half Indians; that is they are persons who in habit & manners are nearly allied to them & have generally inter-married into the Indian families. The Spaniards had lately a fort here which they preserved merely to keep their chain on this river; but on account of the treaty lately entered into with America they agreed to evacuate all the forts on the eastern side of the Mississippi above the latitude of 31 degrees north, and in consequence of this agreement they had destroyed this fort & erected another on the shore immediately opposite. Soon after we had been here we observed a boat coming across the river from this fort & presently Don Grande (who with twelve men commands that place) came on board us attended by two or three of his soldiers, we supposed for the pur-

pose of inspecting our passports. I had advised our party if he behaved insolently toward us to treat him with contempt or punish him for his impudence well knowing that the Spanish had no right to exact this submission from us; but that if he behaved civilly we should not only return it but show him our passports, at the same time giving him to understand that it was not done through compulsion but to avoid the disagreeableness of a contest between us. As they were mostly Kentuckians with us, who are all men of a fiery temper & independent spirit, and who cannot bear the least thing which appears like submission to an oppression, there was very little difficulty in bringing them to this measure. However there happened to be no cause of alarm as our haughty Don (as we conceived him) proved to be a very sociable sort of man. & we were so far pleased with him as to make him stop supper with us, and after spending a very pleasant evening he retired across the river."

As England and Spain were then at war Baily thought it prudent to conceal his nationality whenever he met the Spanish, and called himself an American. He formed an unfavorable opinion of the Spanish officials on the Mississippi, and intimates they were all in league to rob traders. He mentions Red River, and the Black River which empties into it 30 miles from the Mississippi, and says "the famous Ferdinand Soto ended his discoveries and his life at the entrance of this river, and was buried there."

Baily, about the time he reached Tennessee, had made the acquaintance of the poison vine, and the three pages which he devotes to this subject is a curious mixture of enthusiasm and sorrow. He describes and classifies the vine with the enthusiasm of a scientific observer; and groans over feet so badly swollen that he cannot wear his shoes. Fortunately an Indian guide makes for him a poultice of herbs which relieve him, but the incident caused much annoyance and loss of progress.

Baily and two companions had great difficulty in crossing the Tennessee river, which he reached from the west, at a point some sixty miles from Nashville, and on an improvised raft containing their baggage were swept by the current four or five miles down stream. They were rescued by some friendly Indians, and finding their horses had crossed safely, started to Nashville, "which it took them 7 days to reach, during which they came near starving, so destitute was that region then of inhabitants

and resources." Not a white man did they meet, nor any sign of a civilized abode until they came within 12 miles of Nashville. For some days their only food was dried corn, while their horses subsisted upon cane.

On nearing the town he "met two coaches fitted up in all the style of Philadelphia or New York, besides other carriages, which plainly indicated that a spirit of refinement and luxury had made its way into this settlement."

"The place contains about 60 or 80 families; the houses chiefly of log or frame scattered over the whole site of the town so that it appears larger than it actually is." He refers to several other little towns in the neighborhood of Nashville, stating that the banks of the Cumberland were well cultivated for a considerable distance, and that "Major Nelson is forwarding a settlement and laying off a town at the head of Harper's Creek, about 25 miles off, where he sells his half acre town lots for ten dollars, and his out lots of ten acres for thirty dollars, on condition that improvements are to be made and a house built within two years."

"The price of land about the vicinity of this place, unimproved, is from one to four or five dollars, according to its situation and neighborhood."

He complains of the accommodations at a tavern kept by Major Lewis, and says "there were three or four beds of the roughest construction in one room, which was open at all hours of the night for the reception of any rude rabble that had a mind to put up at the house; and if the other beds happened to be occupied, you might be surprised when you awoke in the morning to find a bed fellow by your side whom you had never seen before, and might never see again. All complaint is unnecessary, for you are immediately silenced by that all powerful argument—the custom of the country—and an inability to remedy it; or perhaps your landlord may tell you that if you do not like it you are at liberty to depart as soon as you please."

He says he knows of no other particulars of Nashville except that it is the principal town in this western division of the State; that the country about is pretty well settled, considering the time of its first establishment, and "that most of the inhabitants are chiefly concerned in some way of business; a storekeeper is the

general denomination for such persons, and under this head you may include every one who buys and sells."

Baily intended to remain at Nashville some time to rest his jaded horses, but finding no person in the neighborhood who had a good pasture, and being tired of his lodgings, sets out for Knoxville, on the Holstein, as he calls it. To accomplish this journey he had to cross a wilderness of 300 miles; "this properly commences about sixty-two miles from Nashville, though the whole of the distance is scarcely better than a wilderness after you proceed half a dozen miles from the town; for the houses are so far apart from each other that you seldom see more than two or three in a day." He was still looking for a place where he could stop and refresh his horses, "for there is no part of these new settlements but you may take this liberty if you pay them well for it; the idea of their being hospitable and doing a kindness to strangers for nothing is false. This hospitality is only shown to neighbors, where they expect it will be repaid by the same return, and arises from the want of inns on the road where travelers may call and do as they please."

Baily had a hard journey to Knoxville, he and his horses frequently going without food; he was deluged by rains, often slept in the cane brake, and suffered for want of water in a country full of springs. He crossed the Cumberland River at the mouth of Caney Fork; ascended the Cumberland Mountains; passed the Crab Orchard, where he began to meet throngs of immigrants on their way to the Cumberland settlements, and finally reached Knoxville, when his journal abruptly and without explanation terminates.

Baily's is one of the most interesting, and probably one of the most truthful, accounts given by early travelers in the South and West. He frequently expresses his sorrow for the slaves he sees, and his condemnation of the system of which they are the victims; he grumbles occasionally at the hard fare he has to endure, or at the excessive charges of a landlord or a ferryman; but on the whole his opinions of the people he meets, and the conditions he describes, are fair and tolerant.

In 1797 Gilbert Imlay, a captain in the American army, published the third edition of a "Topographical Description of the Western Territory of North America, containing a succinct account of its Soil, Climate, Natural History, Population, Agri-

culture, Manners, and Customs;" to which the author adds thirteen articles or chapters, one of which is entitled, "Description of the State of Tenasee and of the Southwestern Territory." This article is accompanied by a "map of the Tennessee Government taken chiefly from surveys by Genl. Daniel Smith and others, published in London June 1st 1795."

On this map the rivers of Tennessee and even their tributaries are located with an accuracy that is surprising for the period, and have figures showing their width; shoals, fords, and islands are indicated; many Indian villages are shown, but no white settlements except Nashville, Knoxville, and Clarksville.

This is probably the same map referred to by Michaux in 1802 as having been published by Carey, of Philadelphia, in the Geographical Atlas, and which Genl. Smith, with a modesty which was characteristic of the man, acknowledged was not perfect.

Inlay's book of some 600 pages is to a great extent arranged as letters to a friend in Europe from one who had spent twenty-five years in the wilds of America. The writer frequently employs himself with conjectures on the future of the young country and suggestions for its development and improvement. One of his estimates is remarkably accurate; he supposes the population of the United States (1795) to be five millions, and that it doubles once in twenty or twenty-five years, which would give in one hundred years sixty-four millions; which was not far from the population as given by the census of 1890. He predicts that the country will be settled across to the Pacific within a century. He points out that the Mississippi River can be used as a cheap mode of transportation from the West to the sea, but suggests the distance can be much reduced by straightening the course of the river, which can be done at small expense by cutting ditches across the bends, through which the stream would quickly cut its channel. This, he claims, would enable vessels to go up the river with favorable winds with no greater effort than what is necessary to spread their sails. He shows that by the adoption of his plan, salt, which it then cost something less than three-eighths of a dollar per bushel to freight from New Orleans to Nashville, and pork, flour, and other produce which it cost three-eighths of a dollar per barrel to freight from Nashville to New Orleans, could be taken to

the seaboard at a less cost than it could be wagoned fifty miles in any country; and this was the more true because, referring to the agreement of 1795 for the free navigation of the Mississippi, "the treaty lately negotiated with Spain by Mr. Pinckney contains such indisputable proofs of reciprocity and liberal sentiment as cannot fail to beget and cherish confidence and affection in every citizen of the United States toward the Spanish nation."

Another prophecy of the author is worthy of reproduction here. He says further of the Mississippi: "Whether its navigation be good or bad, it is the only one for all the interior parts of North America, which are as large as the greater parts of Europe; no part whereof can be of any use to foreign commerce without the navigation of the Mississippi and settlements upon it. Not without reason then has it been said that whoever are possessed of this river and of the vast tracts of fertile land upon it must in time command that continent and the trade of it as well as all the natives in it by the supplies which this navigation will enable them to furnish those people."

Here is his estimate of Mr. Jefferson:

"Before I finish this letter I shall just enter into some of the minutiae of the distance and time of descending down the Ohio, which will serve for an account of all the other rivers. Mr. Jefferson has stated that the inundations of the Ohio begin about the last of March and subside in July. He has written his notes on Virginia like a man of erudition and considering he never was in this country" (Kentucky) "he has given such an account of it as cannot be displeasing to an European. But as in everything which has characterized his political life his judgment in this appears superficial and his mind attached to the theory of its own fabrication."

Further on he seems in better humor with Jefferson, for he says "his account of the natural history of this country is generally to be depended upon, so that it is scarcely possible to make any improvement upon it until further discoveries have arisen."

In the text of the article on Tennessee only three towns seem worthy of mention: Knoxville, the seat of government, which had a printing office, "and whose inhabitants enjoyed the advantage of communicating to every part of the United States

by post;" Nashville, the district town of Mero, and in which Davidson Academy is situated, and Jonesborough, the capital of Washington District.

In speaking of the health of the inhabitants of (Middle) Tennessee, he says: "Whether it proceeds from the goodness of the water, the purity of the air, the temperature of the climate or whatever else may have been the cause, the inhabitants of that country have certainly been remarkably healthy ever since they settled on the waters of Cumberland River; whence it appears the climate is healthy and pleasant."

The book contains the Constitution of the State of Tennessee (of 1796), narratives of John Filson and Daniel Boone, essays on the present situation of landed property in America, and preservation of peace with the Indians; the treaty with Spain, prospectus of the North American Land Company, and many public documents.

G. W. Featherstonhaugh, geologist, member of several learned societies of England, and commissioner for Great Britain in the existing boundary dispute between that country and the United States in 1839, spent parts of 1834 and 1835 in making an "excursion through the slave States from Washington on the Potomac to the frontier of Mexico," an account of which he subsequently published in London.

Unlike the preceding works quoted in this article, a strong vein of egotism and boastfulness runs through his entire book. He evidently made an almost daily habit of intimidating American ruffians and desperadoes, and, like Dickens, continually regretted the difference between English and American foods, beds, and public conveyances; also like Dickens, he dwells at great length on the evils of the slave system, and paints in darkest colors a well-known Tennessean who was engaged in the slave traffic. This man he publicly denounced for daring to wear upon his hat a badge of mourning for Lafayette, who had recently died, and being at the same time employed in enslaving human beings.

Featherstonhaugh traveled from Washington through Maryland and Virginia and entered Tennessee at Blountsville. Though he did not reach his inn until nine o'clock at night, before going to bed he had, with his fists alone, whipped a man from Alabama who wore two pistols and a dirk. He passed

through Knoxville, and on arriving at Campbell's Station, "found Genl. Jackson, the venerable president of the United States, then on his way to Washington, seated at a window of the tavern, smoking a long pipe," Featherstonhaugh's son, who was with him, after being introduced, apologized to the President for the condition of his hands, as he had been making geological investigations; to which Jackson replied: "If you were a politician you would have dirty work on your hands you could not so easily get rid of."

Passing through Sparta and Lebanon "we now drove on to the Hermitage, the plantation of General Jackson, the President. I had seen at a tavern in Virginia a box directed to him, and learnt accidentally that it had been waiting there several weeks, the contractor of the stage having refused to forward it because the carriage was not paid, and because he was opposed to the General in politics. I therefore took it under my care, and mentioning the circumstance to him when I met him at Campbell's Station, the old gentleman told me that the box contained his favorite saddle, and that he had been inconvenienced for the want of it during the short holiday he had been indulging in from the seat of government. The mansion-house at the Hermitage—where I stopped to deliver this box—is built of brick, and is tolerably large; everything was neat and clean around it, the fences were well kept up, and it looked like the substantial residence of an opulent planter. The estate is said to be a very fine one, to consist of 700 to 800 acres of cleared land, two hundred acres of which are in cotton at this time, and to extend to the Cumberland river. The quantity of cotton which the land yields in this part of Tennessee is small compared with the great productiveness of the rich bottom lands in the 33rd & 32d degrees of latitude farther south where the plant comes much nearer to perfection.

"A plain farmer of the neighborhood who got into the stage with us, not far from the Hermitage, to go to Nashville; and who had lived near Gen. Jackson betwixt twenty and thirty years, gave us a very interesting account of this distinguished man; which making allowances for the partiality of a neighbor who shared his political opinions, I have no doubt is founded on truth. He said the General was an industrious managing man, always up to all his undertakings, and most punctual in

the performance of his business engagements; that his private conduct was remarkable for uniformly inclining to justice, generosity and humanity; that he was an excellent master to his slaves, and never permitted his overseers to ill treat them. As to his house, he said it was constantly full of people, being in fact open to everybody; those whom he had never heard of before being asked to dine when they called, and those they had room for being always furnished with beds. For these reasons, he said, everybody respected him, and most people loved him. As to his public conduct, he observed that he was rather an uncompromising man, and liked to have his own way, but that his own way was always a very good one, and a very sensible one if he was left to himself. He was a man of strong passions, and had once been very much addicted to cock fighting, horse racing and 'considerable cursing and swearing,' but that he had 'quit all these,' and was in earnest about doing good to the country. And he added, that if the General was not always right, it was to be laid to the score of some of his political friends, who imposed upon him for their own private ends, a thing not very difficult to do, because when he thought a man his friend he was too apt to go great lengths with him. These remarks, which fell from our fellow traveller in a quiet, sensible manner, are so much in accordance with what I have observed and seen of one of the most remarkable men the United States have yet produced, that I listened willingly to a very curious account he gave me of some incidents of the General's early life, which, I believe, have been greatly misrepresented.

"About 1 o'clock P.M. we fell in with an excellent macadamized road, leading to Shelbyville, and soon after came in sight of Nashville, the centre of civilization of the western country. Its appearance was prepossessing. We soon reached the public square, and alighted at a good-looking inn, called the City Hotel, where at last we found some comforts after getting over 900 miles in one way or another since the 1st of August.

"Nashville contains about 6000 inhabitants, has a public square, churches, meeting houses, markets, etc., and is built upon a lofty knoll of limestone, the fossiliferous flat rocks of which come to the surface; there is also a commodious bridge which connects the town with the northern bank of the Cumber-

land River, and on the road to Kentucky. Some of the streets are steep and encumbered with sharp pieces of limestone, that punish the feet severely in walking. There is an excellent spacious building in the vicinity called the Penitentiary, and another is erected for a hospital. Coming from the wilderness where we have been leading rather a rude life for some time, Nashville with its airy salubrious position, and its active bustling population, is quite what an oasis in the desert would be; and when the improvements are made in the navigation of the Cumberland River, and in the public roads, it cannot fail to become a populous town.

"One of my first movements was a walk to the college to see Professor Troost, who is a great enthusiast in geology. It is to be mentioned to the honour of the State of Tennessee, that it has been one of the first of the American States to patronize science, by allowing him five hundred dollars a year as geologist to the State, in addition to his appointment at the college as professor of chemistry and natural history, to which a salary of one thousand dollars is attached."

Featherstonhaugh visited Daniel Ridley, then 95 years old, who had come to Nashville in 1790, and whose fort or blockhouse was still standing and shown to the Englishman. This old gentleman told him he had but recently undertaken to count his descendants, but had given it up as a troublesome job after getting as far as three hundred.

The blockhouse is described as being about twenty feet square, made of logs, with a projection of four feet for the second story, from which the occupants "could fire perpendicularly down upon their besiegers if they should attempt to run up to the blockhouse to set fire to it."

After packing his geological specimens into casks for shipment via New Orleans to New York, Featherstonhaugh left Nashville acknowledging he had received very pleasing impressions of the place and its inhabitants. On his way to Louisville he "met the Tennessee race horses on their return from the Louisville races, where they had triumphed over the Kentucky horses to the great mortification of the Kentuckians."

GENESIS OF THE JACKSON--SEVIER FEUD.

BY A. V. GOODPASTURE.

The origin of the Jackson-Sevier feud is rather obscure. The letters here published for the first time, it is believed will throw some light on the subject. Parton* traces the trouble to a chance discovery by Jackson, while on his way to Philadelphia, in 1796, that frauds were being perpetrated in North Carolina warrants for lands in Tennessee, which fact he communicated to the Governor of North Carolina. A legislative investigation followed, which established the truth of Jackson's information. "Among those who had unsuspectingly bought and sold the lands said to have been fraudulently obtained," he continues, "was no less a personage than John Sevier, Governor of the State. And among the quarrels that grew out of the business was a most fierce one between him and the innocent cause of all the trouble, Judge Jackson."

The charges of fraudulent land transactions preferred by Jackson against Sevier, which are fully set out in his circular letter to Mr. Bradford, No. 281 of the Robertson correspondence, at pp. 374--381, of the present volume of the *AMERICAN HISTORICAL MAGAZINE*, was an incident to the antagonism between the two great Tennesseans, rather than the occasion of it. The real ground of trouble seems to have been a rivalry—especially in martial affairs, though Jackson had not then held any military office. Governor Sevier refers bitterly to Jackson's want of military experience when he was elected Major General in the following

"CIRCULAR."

"Knoxville, November 1803

It is well known to the executive that no act he can do will give a certain party satisfaction.

* Parton's *Jackson*, Vol. I., p. 231.

.
I hope I shall be believed when I take the liberty to assure my fellow citizens that I am as much disposed to favor and indulge every officer agreeably to his rank, grade and past services as any gentleman that appears as much the sticklers for routine, nor have I ever given a vote to promote any inexperienced person in the ranks, to the command of Major General and other militia officer in the State, and that done too in the face of the law and constitution, see 2nd sec. of the Militia law, nor will I ever do so, let me or others conjecture his talents and qualifications to be what they may.

.
JOHN SEVIER.*

But, notwithstanding Jackson's inexperience, he seems to have had a consciousness of military genius, that kept him constantly in the closest touch with all military matters in the State, and produced in him a feeling of rivalry with the famous Indian fighter, Sevier, which would have been ridiculous if events had not shown his merits to justify his pretensions. This is the view that seems to be sustained by these letters, which antedate by several years the charges of fraudulent land transactions, which, indeed, Jackson's Bradford circular shows to have been introduced for the purpose of promoting his election as Major General in 1802.

In the postscript, he defends Gov. Roane against the charge of appointing Sevier as one of the Commissioners to adjust the boundary line with Virginia, after having knowledge of the charges against him in relation to forgery and fraudulent warrants. His statement is as follows:

"I will answer the objection by stating a few facts—Maj. Carter's affidavit bears date 16th of February, 1802, the Secretary of State (William Maclin) certificate of counting out the votes for Major-general bears date of 16th February, 1802. The official letter of Gov. Roane, announcing to the Governor of Virginia the appointment of Messrs. Fisk, Sevier, and Rutledge commissioners to run the line, is dated the 5th February, 1802,

*Archives in the Secretary of State's office.

which is ten days previous to Carter's affidavit, this letter is recorded in the Secretary's office, and open to the eye of every person, hence it follows that the appointment of Sevier was made before Governor Roane had any documents before him."

In defending Gov. Roane, Jackson shows that the affidavit of Carter, the basis of the charges against Sevier, was filed with Gov. Roane on the very day that the votes for Major-general were counted, and when the Governor was called on to give the casting vote.

The office of Major-general was one much coveted among the pioneers of Tennessee. The first Legislature that met in the State required the brigadier-generals and field officers of the three districts of the State to meet at Jonesboro, Knoxville and Nashville, on the second Thursday in November, 1796, and vote for one Major-general of the State.* When they met at Nashville, Andrew Jackson was present as a "private citizen," and became involved in a violent controversy with Joel Lewis, who claimed some sort of power under the authority of Governor Sevier. There was much feeling over the election. This is shown not only by the dramatic incident at Nashville, but by the fact that a notice of contest was filed against General Conway's election. The following letter is from the archives in the Secretary of State's office:

Knoxville 8 Mch. 1797.

Sir

Your election like a number of the others is contested, and the complaint, principally is, that Gen. Winchester contrary to law, voted for Major-general at Knoxville in the District of Hamilton, at the same time he was Brigadier of the District of Miro, and they contend was only entitled to have given his vote in his own district; as I have no power to determine contested and disputed elections, it must of course be laid before the next General Assembly for their determination.

I have the honor to be &c.

Geo. Conway, Esq.,
Greene County.

JOHN SEVIER.

Our whole knowledge of the Nashville election is contained in the following letter from the State Historical Society collections, Book J 1, No. 3:

* Roulstone's Laws of the State of Tennessee, p. 84.

Nashville May 8th 1797.

Sir—

From your friendly communications to me whilst I was in Philadelphia, I was convinced you had been rightly informed of the expressions made use of by me at the election of the General and field officers of the militia for this District, with respect to your official conduct in communicating your constitutional power as the executive of the State to another, and had truly construed it to be the right of every citizen to take notice of the official conduct of any officer of government and express their sentiments thereon;

But, Sir, behold my surprise when I returned and found that amidst those friendly communications to me, you had wrote a letter to General James Robertson and another to Mr. Joel Lewis, in which you had made use of the following language respecting me: "that you did not regard the scurrilous expressions of a poor pitiful pettyfogging lawyer, and you treated them with contempt." These, Sir, are expressions that my feelings are not accustomed to, and which my conduct through life by no means merits, and which, Sir, I will not tamely submit to.

With respect to the scurrility mentioned in your letters as having been made use of by me, it is necessary here to state facts and from them enquire whether the expressions deserve the epithet "scurrilous."

I was present at the election as a private citizen, and conceived I had no right to interfere, as the representatives of the citizens (the officers elected by them) were convened for the purpose of electing the officers, pointed out by the constitution to be elected by them, and who alone were legally and constitutionally authorized to conduct and debate upon any question at the election, and when I heard your constitutional powers to transfer any of your official duties to another questioned and brought under debate, was still determined to be silent; But seeing Mr. Joel Lewis rise upon the question, and to enforce his reasoning, produce a private letter wrote him by you, and viewing him in the same situation of every other private citizen, without just right of debate; Viewing, Sir, with horror, a private letter from the executive of the State, produced to influence the officers to do that which, in my opinion, was an unconstitutional act, and which would establish a precedent dangerous to the rights

of the people, I proceeded to reply to Mr. Lewis with some warmth, and observed in substance as follows: I was sorry that I was compelled to expose the ignorance of the Governor in his attempting to communicate to others those duties that by the constitution was confined to him alone, and in the debate I further observed that it mattered not that the power was transferred to a good man, the constitutional right being tacitly surrendered and the precedent once established, the executive might transfer the power to any person even to Thomas McFarlin if living. These were the substance of my expressions in reply to Mr. Lewis, without personal reference to your character further than the rules of argument and the conduct of Mr. Lewis justified.

Mr. Lewis certainly meant to put himself indecently at the head of a party, and when I saw him produce your letter to influence unconstitutionally an election in which he ought to have had no concern—

The first idea that struck me was that he was authorized so to do, by you, otherwise he would not have taken the liberty to produce your letter, whether this was the case, you alone can determine—from which I must still conclude, that my expressions did not merit the epithet "scurrilous."

But, Sir, let me ask why those private letters containing those expressions concerning me, why not, (if you thought I had injured you) the letter directly to me, calling upon me for an explanation of the injury I had done you, why sir, this private attack on my character to a man (Mr. Lewis) that was my enemy, who publicly show it in the court yard, which I suppose was countenanced by you, or he would not have taken the liberty of showing it to the publick, but this rests with you, whether this is the case or not, and all this in my absence, this conduct requires an explanation and the injury done my private character and feelings require redress.

An answer to this letter is expected.

I am, sir,

Your mo. ob. serv.

Governor John Sevier.

ANDREW JACKSON.

Addressed:

"His Excellency

John Sevier—

—Pasant"—

This letter was written while Governor Sevier was in Nashville, and was answered the same day. Then followed two other letters from Jackson, which sufficiently explain themselves:

[Box JI, No. 4.]

*Nashville May 10th, 1797.

Sir

Your letter of the 8th instant has recd every consideration, which I have been able to give, and be assured, Sir, that your sentiments and ideas on abstract principles entirely accord with my own. Facts may be misstated, and it is not improbable they were, in the instance before us. I can assure you, Sir, that at the time the expressions were made use of by me, in the case of the election, I was neither your political nor private enemy, nor am I yet inclined to be so, but I feel the sweetness and necessity of protecting my feelings and reputation whenever they are maliciously injured, as, sensibly as yourself or any other person.

It is with pleasure, sir, I now remark to you, that I think you had no malicious design to injure my reputation, and that your letters proceeded from the warmth of the moment.

That you were not actuated by party spirit I hope, and am willing to believe was the case, though I can assure you, Governor Sevier, that when I saw Mr. Joel Lewis making use of your private letter for a public purpose, I had a right to think otherwise.

Far be it from me to think, Sir, that for any errors in the discharge of your duties, you are answerable, except in a constitutional manner, but for malicious slander all men are answerable at the bar of honor—This I hope applies to neither of us in the present case.

Permit me, Sir, to request in future, that as far as it respects myself, you will pay some attention to the essential distinction between observations involving your political conduct by way of argument, and such as are malicious and personal.

In regard to the conduct of Mr. Lewis, I have nothing to say in this letter, except that as by producing your private letter to answer his own purpose it unavoidably brought your political conduct in view.—If Mr. Lewis produced your letter without your approbation he is answerable to you and not to me—One

thing is certain, and needs no demonstration, from the nature of the transaction itself; that the warmth of argument originated between Mr. Lewis and myself; upon this subject no doubt Mr. Lewis is pretty well informed. If he is not he ought to be,—

From the impressions I now hold, it will give me pleasure to converse with you personally on this subject, in the presence of such of our friends as may be agreeable to you and myself to name—Be pleased therefore to state some convenient place and time in Nashville where I can see you.

Your most obedient Servant

ANDREW JACKSON.

His Excellency
John Sevier—

Addressed—

“His Excellency
John Sevier
—present—”

*Nashville 13th May 1797.

Sir

I attended at the room appointed, and waited to have the pleasure of seeing you until half after nine, and professional business prevents me from waiting any longer.

I am, Sir, your most ob. serv.

ANDREW JACKSON.

His Excellency
John Sevier

*Box J1, No. 5.

Phelan says that Sevier's bitterness was enhanced by an appearance of flagrant ingratitude, for Jackson owed his original appointment as Judge to Sevier.* This statement would seem to be too strong, in the light of the following letters from William and Willie Blount:

*Knoxville July 6th 1798.

*Box B2, No. 158.

Sir

Your excellency will recollect that some days past I suggested to you that I had reason to believe Mr. Andrew Jackson would accept the office of Judge in the place of Mr. Tatom resigned.

*Phelan Hist. Tenn., p. 243.

A letter from him which I had received in answer to one I had written him, in which I had informed him it was the wish of many people in this quarter of the State that he should do so if by you appointed had authorized me to make to you the suggestion above alluded to, towit: that he would accept if appointed. I have now to inform you that by General Robertson I received a second letter from Mr. Jackson of the 24th ult. to the following effect:

"I forgot, when I answered your letter to observe to you that it would not be agreeable to me to receive the appointment in the judiciary if any of my friends had it in view, and could obtain it. It is a principle with me never to be departed from, if I can avoid it, not to stand between a friend and a benefit.—And I am informed by Majr. Tatom, since, that my friend Mr. Lewis will be recommended. He is a man of worth.—And perhaps others of my friends, of whom I am not informed may be recommended, and if so I would not wish my name to stand in opposition to theirs."

I have also received another letter from a friend of mine in Mero District, stating that there are several decisions in the courts of law from which the parties upon one side or the other will pray for relief in equity, and that if a judge is not shortly appointed in the place of Mr. Tatom who shall reside in that district, that the parties injured will be compelled to pass the wilderness to Judge Roane, or Judge Campbell to obtain injunctions.

Having stated to you that Mr. Jackson would accept if appointed, I conceive it a duty I owe both to you and to him, to lay before you the before quoted extract from his letter of the 24th ult., and have the honor to be with great respect

Your Excellencies

Obedient Servant

WM. BLOUNT.

His Excellency

Govr. Sevier

Tennessee.

[Box B2, 159.]

Nashville, Aug. 12, 1798.

Dear Sir:

Supposing it would be acceptable to you to know the wish of the people in this district respecting the appointment of Judge to fill the vacancy occasioned by the resignation of Mr. Tatom, I take the liberty of saying that it is their wish so far as I have heard it expressed, and I have conversed with many on the subject, that Andrew Jackson should be appointed. I have spoken with Mr. Jackson touching his acceptance, he answered that if he was honored with the appointment he would certainly accept. Mr. Lewis was sometime ago spoken of, but I am persuaded from authority which I deem good that that appointment would not be pleasing to Mr. Lewis—he would be well pleased with the appointment of Mr. Jackson.

I enquired who would be acceptable to the people in the Senate of the United States in the event that Mr. Jackson should be appointed Judge. I was told that General Smith would be highly so. I then asked if the General would accept. Mr. Jackson told me that he was authorized to say that the General would accept if it was offered to him. My own opinion is that these appointments could not be conferred on more deserving men. I wish your Excellency health and happiness, both in private and public life. With sentiments of respect and esteem, I am

Your obt Servant

WILLIE BLOUNT,

to

Governor Sevier.

DID GREAT BRITAIN OFFER THE AMERICAN COLONIES A REPRESENTATION IN PARLIAMENT?

BY THE LATE PROF. N. CROSS.

Read before the Tennessee Historical Society.

In the Hon. R. B. Rhett's speech, delivered at the Hibernian Hall in the city of Charleston, S. C., June 21, 1850, and contained in the Republican Banner and Nashville Whig for July 27, 1850, the speaker, in commenting on the supposed grievances of South Carolina, finds a parallel to these grievances in the condition of the American Colonies at the commencement of the Revolution, and asserts as an historical fact that "Great Britain offered them (the Colonies) a representation in the British Parliament." The object of this little essay is to inquire whether this assertion is historically true or a historical fiction—an exaggerated accommodation of a little truth to sustain a weak cause.

It is well known that the British Ministry under Rockingham and Lord North, sustained by a large majority in Parliament, maintained the legislative supremacy of the British Parliament over the colonies; while the colonies and a small but very respectable minority in Parliament denied this supremacy and considered the exercise of it as an usurpation, not only justifying but demanding the most determined resistance. As power over the purse has been appropriately termed the instrument of freedom or slavery, the great principle contended for by the colonies, to which all others were subordinate or collateral, was that they could not be taxed without their consent and by their own legislature, which was tersely expressed in the phrase of the day, by "taxation and representation," or "no taxation without representation." The British Ministry, regardless of petitions and remonstrances, passed the stamp act and other acts, imposing duties on articles imported into the colonies, all of which, it is true, were repealed except the duty on tea; but the repeal was accompanied with a declaratory act arrogating the offensive doctrine of legislative supremacy. A haughty ministry

demanding submission; the colonies, an acknowledgment of their inherent and inalienable rights. With a view to extricate the ministry from the embarrassments in which they were placed, Lord North, in 1775, after asserting the principle that every part of the empire is bound to bear its share of the service and burden in the common defense, proposed that if any province would offer any sure means of contributing this share, this offer should be accepted; which of course amounted to nothing more than that Parliament should suspend the right to tax that particular colony. The debates in Parliament on this and other questions relating to America, are contained in the Parliamentary Register, a copy of which in 10 vols. 8vo. extending from November 29, 1774, to June 3, 1778, is in the Library of the Nashville University.* The celebrated Mr. Wilkes, the Lord Mayor of London, stated in Parliament, in justification of the resistance of the Colonies, that when Calais belonged to England it was not taxed till it had two representatives or burgesses in the House of Commons. He had heard of a proposition, but unfortunately not from a minister, which he thought would reconcile all differences, and that was that an American Congress should be convened in the spring, which should appoint deputies to meet with Parliament and determine upon some just principle the quotas that each of the colonies should contribute for the support of the Empire.

Sir Wm. Maque, in the course of a speech which he delivered on the vexed question of the American Colonies, alluded to the fact that it had been suggested somewhere that the colonies should be represented in the British Parliament, and that this would probably give satisfaction and be the means of settling the unhappy differences then existing. This, moreover, Sir William believed the colonies would not accede to, as the Resolution of their Congress (believed to be the first congress held in September, 1774); repudiated the idea, as from local and other considerations it would be inexpedient for the Colonies to be represented in the British Parliament. He thought, therefore, that nothing but a free and unmixed legislature elected by them-

*I have examined the debates with some care, and find only the following facts that have any bearing upon the question under consideration.

selves, and that held their meetings amongst them, would meet their approbation.

I have also examined the continuation of Hume's History of England, embracing the period when such a proposition would have been made to the colonies, if made at all, but have found no allusion to any measure of the kind. In the enumeration moreover of the acts of "pretended legislation," in our Declaration of Independence, to which the King of Great Britain had given his assent, one was "for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases, whatsoever."

It would seem, then, in view of the facts hastily enumerated above, that though the idea of colonial representation in Parliament was spoken of in debate, and opinions uttered in regard to its expediency and in expediency, nothing was ever done or said that could authorize Mr. Rhett to affirm that Great Britain offered the Colonies a representation in the British Parliament. As the body, when it has for a long time been pampered with highly seasoned food, loses all relish for ordinary condiments, so the mind, under the influence of real or imaginary grievances, may become so distempered as to be incapable of all just discrimination, and prepared to view everything through a magnifying or diminishing medium, as the bias of the moment may require. Thus an incidental suggestion or allusion in debate becomes a formal and solemn enactment of the British Parliament, and the supposed rejection of this supposed enactment a Revolutionary precedent to justify a supposed necessity for dissension. Under similar influences, it may be presumed, we have seen that another more distinguished South Carolinian (John C. Calhoun) travestied the history of Tennessee during her transition from the condition of a territory to that of a State, representing her as quietly acquiescing when Congress remanded her back into the territorial condition, though neither Congress remanded nor did she wait for authority to set up for herself—and all to make a precedent for the imitation of our golden and somewhat ambitious young sister, California.

P. S.—I deem it but fair to state that there is a chasm or interval of 33 years between the Parliamentary debates and Parliamentary Register (1741 to 1774), and that some offer of representation in Parliament may have been made to the Colonies.

The stamp act was passed March 22, 1764, and repealed March 18, 1765. In the continuation of Hume it is stated when the colonies in a petition to Parliament claimed exemption from taxation, except by their own legislature, their petition was not even permitted to be read, and not a voice was heard in its behalf. Manchester and other considerable cities in England, it was said, were taxed without being represented. The Charters, moreover, of Pennsylvania, and some of the other colonies, expressly reserved to Parliament the right of taxation. It would seem hardly probable under these circumstances that an offer of representation was ever made by Parliament.

The Resolution of the Congress of 1774, before mentioned, was probably framed because of the debates in Parliament & intended to show that they took higher ground, viz., that they would consent to be taxed only by their own representatives and *on their own soil*.

ORIGIN OF THE NAME HARPETH.

BY THE LATE EDW. D. HICKS.

Read before the Tennessee Historical Society.

As to the origin of the name "Harpeth," given to several streams which flow through Williamson and Davidson counties, Tennessee, I first call attention to what purports to be an explanation given in a description of Williamson County on page 996 of "Resources of Tennessee," published by the Bureau of Agriculture, 1874, as follows: "The name of Harpeth originated from two celebrated highwaymen, named from their size Big Harp and Little Harp. They had their headquarters on Big Harpeth, and from thence ravaged the settlements far and near; and the name was synonymous for all that was terrible and murderous. They defied all forces sent against them for many years, but at last were caught, and, as is done even now on the frontiers, had justice summarily dealt them by having their heads cut off."

I find the name spelled Harpath in a "Topographical Description of the Western Territory of North America, by Capt. Gilbert Imlay," the first edition of which, in octavo, appeared in London, 1792; the second in 1795, and the third, with considerable additions, in 1797. This last edition I have before me, and is the earliest book on Tennessee which I have seen. On page 73, and also on a map facing 512, dated London, 1795, from surveys of Genl. Danl. Smith and others, the spelling is Harpath.

In the journal of Francis Bailey, subsequently President of the Royal Astronomical Society, England, who came to Nashville from Natchez by land, I find on page 407 "Sunday July 30, 1797, about an hour after sunset came to Harpath river." Imlay, Genl. Smith and Bailly were all accomplished, educated gentlemen and scholars.

The river had been named certainly as early as 1784, as shown by the manuscript diary of Liscomb, in possession of the Tennessee Historical Society, and probably several years earlier. I

have been thus particular in giving the date at which the river was named, in order to show that the Big and Little Harp theory is without foundation. I remember many years ago to have read a novel called "Harpe's Head a legend of Kentucky;" also a sketch of the Harps, I think, in Collins' Kentucky. I have in "Sketches of Frontier Life" the following in regard to them which I abridge: "In the fall of year 1801 or 2 a company consisting of two men and three women arrived in Lincoln County, Kentucky, and encamped about a mile from the present town of Stanford. The appearance of the individuals composing this party was wild and rude in the extreme. The men stated, in reply to the inquiry of the inhabitants, that their names were Harpe, and that they were emigrants from North Carolina. They killed a man named Lankford, in the Rock Castle hills, were captured and jailed, but succeeded in making their escape. They were next heard of in Adair County, going toward the mouth of Green River, having committed several murders on the way. Assuming the guise of Methodist preachers, they obtained lodgings at the house of Mr. Stegall, who was absent, and during the night murdered Mrs. Stegall, her children and a stranger, burned the house, and escaped.

"When Stegall returned, he, Capt. Leeper, and the others pursued Little Harpe, who escaped, but Leeper, after a chase of nine miles, shot Big Harpe through the thigh, the ball penetrating his horse, which fell with him. When Stegall came up he shot Big Harpe through the head; they then cut off his head and stuck it on a pole where the road crosses the creek, and the place was then named, and is called to this day Harpe's Head.

"Little Harpe joined Meason's band, was captured and executed at Washington, Miss."

I have read no history, nor heard any tradition, that they were ever upon Harpeth at the time the river was named (1784 or earlier). Eighteen or twenty years before the appearance of the Harpes in southeastern Kentucky the few settlers on Cumberland were sheltered in forts, and were fully able to protect themselves; for when they left the forts, being always on the lookout for Indians, they were fully armed, and, besides, had nothing of which to be robbed.

It is evident that the streams called Harpeth did not get their name from the bloody Harpes.*

If the explanation given in the "Resources of Tennessee" is not true, what then is the origin of the name? There is a book written nearly two hundred years ago which was much read by gentlemen then, and even in the early part of this century; but which is rarely read, or spoken of now except by Dr. Dryasdust and his coterie.

Among our early settlers were some, if not many, scholarly men; books were not so abundant then as now, but to these gentlemen the classics were as familiar as household words, and the Spectator was an English classic.

No. 584.

Monday, August 23, 1714.

(Addison).

Hic gelidi fontes, hic mollia prata., Lycori.

Hic nemus, hic toto tecum consumerer aevo.—Virgil.

"Come see what pleasures in our plains abound—
The woods, the fountains, and the flowery ground.
Here could I live, and love, and die with only you."

"Hilpa was one of the 150 daughters of Zilpah, of the race of Cohu, by whom some of the learned think is meant Cain. She was exceedingly beautiful, and when she was but a girl of three score and ten years of age received the addresses of several who made love to her. Among these were two brothers, Harpath and Shalum. Harpath being the first born, was master of that fruitful region which lies at the foot of Munt Tirzah, in the southern parts of China. Shalum (which is to say the Planter, in the Chinese language) possessed all the neighboring hills and that great range of mountains which goes under the name of Tirzah. Harpeth was of a haughty, contemptuous spirit; Shalum was of a gentle disposition, beloved both by God and man. It is said that among the ante-diluvian women the daughters of Cohu had their minds wholly set upon riches; for which reason the beautiful Hilpa preferred Harpath to Shalum, because of his numerous flocks and herds that covered all of the low country which runs

*For some other statements about the Harpes, see "Old Times in Tennessee," by Judge Jo. C. Guild.—ED.

along the foot of Mount Tirzah, and is watered by several fountains and streams breaking out of the sides of that mountain. Harpath made so quick a dispatch of his courtship that he married Hilpa in the hundredth year of her age, and, being of an insolent temper, laughed to scorn his brother Shalum for having pretended to the beautiful Hilpa, when he was master of nothing but a long chain of rocks and mountains. This so much provoked Shalum that he is said to have cursed his brother in the bitterness of his heart, and to have prayed that one of his mountains might fall on his head if ever he came within the shadow of it. From this time forward Harpath would never venture from out the vallies, but came to an untimely end in the 250th year of his age, being drowned in a river as he attempted to cross it. This river is called to this day from his name, who perished in it, Harpath, and, what is very remarkable, issues out of one of those mountains which Shalum wished might fall upon his brother when he cursed him in the bitterness of his heart."

For the future loves of Shalum and the young widow, Hilpa, who was only 160 years old, and had brought Harpath but 50 children, see Spectator Nos. 584 and 585, as it has no bearing upon my subject.

I do not know that this story is the origin of the name Harpeth, or Harpath, given to our rivers, but it is certainly appropriate, and as I know of no other, I submit it as the most probable and ingenious theory I can suggest.

LETTERS FROM JACKSON, CLAY, AND JOHNSON.

Lexington, 7th April, 1813.

Dear Sir,

I congratulate you upon your safe arrival at home, and hope you found your family well, and your political prospects bright.

Messrs Stanford and Turner are owing me between four and five thousand dollars, which I am very desirous to receive and which the estate of Col. Hart stands in need of. May I ask the favor of you to apply or to cause application to be made to them in my behalf as surviving executor of Col Hart for the debt? I hold their notes (James T. Stanford and A. J. Turner) which I would send enclosed but for the hazard of the mail. Any payment made to you may be considered fully authorized by this letter. Should you receive the debt or any part of it in time for it to be transmitted to me by the first of May (when I purpose setting out for Washington) I will thank you to remit it to me in a post note upon some Eastern or Kentucky Bank; if not you will be pleased to carry it with you to the city.

Yours truly,

H. CLAY.

P. S. Will you favor me with a letter whatever success may attend the application?

The Hon. Felix Grundy,
Nashville
Tenn.

Frankfort, Ky.,

12th May, 1832.

My Dear Friend,—

I am attending here as a witness, and while the lawyers are scolding, I am writing to you.

As it respects myself, I have not been idle, in my visits to my district, nor have I been sparing in my stump oratory to my constituents. Altho I have no opposition, nor do I know

that I shall have any, but I am at all times prepared— not doubting the good intention of the enemy if they should think I could be conquered— I should not have much objection, in these times of contention to retire of my own accord but so far as depends on me I am not willing to be forced into retirement of course. I am up and doing. I feel very great anxiety for your personal and political prosperity & wish to know what prospects you have of a reelection and particularly whether I can be of service to you in any form or manner. I have never recd any answer from the gentleman to whom I wrote in your behalf. What effect did my letter have? Is he in favor of the object of the letter? I did expect an answer from him— I need not make any comment upon the blow up at Washington & you entertained a hope that the correspondence by possibility might be so managed as we could not prevent it, as to prevent what we feared & what has resulted in a total alienation of the Parties concerned & many of their friends— I anticipated as bad as has happened. If Judge White accepts the war department the friends of Genl Jackson in Tennessee, no doubt will very generally wish to gratify him by placing Eaton back in the Senate to his own position. In case of such movements I would advise you as a friend to take a decided stand to gratify Eaton and his friends in this matter. It will endear you to him & press you more closely to the confidence of the old Hero, & his bosom friends. It will elevate you and give you influence & make you more useful to your friends and to your country. On this particular subject what do you think would be the prospect for Eaton's success to the Senate—who would most likely oppose him? would it be good or bad policy for him to run for the Senate? Any thing you write me on this subject will never be communicated to any human being unless of a character to benefit you & made known at a point that would benefit rather than injure & that with your approbation. If Judge White refuses the office I want you to be taken into the Cabinet. Without flattery, I think you better qualified than most men to manage a department.

Direct your letter to
 "Choctaw Academy",
 Ky.

Honorable
 Felix Grundy.

Your friend,
 RH. M. JOHNSON.

War Department, 5 Jan. 1813.

Sir,

The causes for embodying and marching to New Orleans the Corps under your command having ceased to exist, you will on receipt of this letter, consider it as dismissed from public service & take measures to have delivered over to Major General Wilkinson all articles of public property, which may have been put into its possession.

You will accept for yourself and the Corps the thanks of the President of the United States.

I have the honor to be sir,
with great respect,
your most obedient servant,
JOHN ARMSTRONG.

Major General Jackson.

I certify the above to be a true copy from the original.

And. Hynes, aid-de-camp.

Camp Jackson,
Headquarters, March 15th.

Sir,

By the New Orleans mail yesterday I received the extraordinary order, of the extraordinary date, of which the enclosed is a copy— It speaks for itself, & rests with the representatives of the State to account to the detachment how it has happened, that we were thus neglected and left to be sacrificed by the incumbent in the war department, if it had been in his power. Is this the way the best patriots of the land is to be treated. Solicited, intreated, and urged by your eloquence, calculated to rouse every patriotic feeling to rally around the standard of their country and marched to an inhospitable clime supposed to be eight hundred miles from home—dismissed—the sick stripped of every comfort & covering & the means of getting back to their country and their friends—without money and without means, the whole detachment given up as a prey to pestilence and famine if they should escape that to make destruction sure, they are ordered to surrender their arms, that they may fall an easy prey to the scalping knife of the ruthless savage, on their return— These questions will be asked of you as their

representatives; of the President and his new incumbent who must have been drunk when he wrote it, or so proud of his appointment as to have lost all feelings of humanity & duty, that he commenced by anticipation on the duties of his office a month before he was really in office. Such treatment as this is well calculated to bring about disgrace which will never gain the object in view,—It is time for the people to recollect that Sempronius in the Roman Senate cried out that he was for war, when he was in the act of betraying his country.— I fear it is the case now that many cry out “I am a Republican” when they are endeavoring to disgust the citizens—trying to disgrace the constitutional bulwark of the nation.—the Militia— This done the path is plain. The militia not being competent to defend the country on a sudden war it is necessary that a standing army in time of peace should be kept up to meet the sudden emergencies of war. This once done (and I have very little doubt of the intentions of some) the liberty of the country is gone forever,—The late incumbent at the close of the revolutionary war has given a good specimen of what he would do, with a soldiery (I mean a mercenary soldiery) under his contrall, but it is time for the people to awake from their slumber and false delusion.—the gauze covering is too thin to hide such flagrant acts—Hull surrenders an army and a whole territory,—a court martial calls his trial postponed to the end of the war, and why and for what reason—— Genl Smith makes an attempt on Canady— all the blame is laid on the militia,— a call is made on our State for volunteers, the best material on earth marched against whom? there can be nothing alleged and who was certain to support their own reputations and that of their country and return with credit, but this must not be permitted, they destroy all our plans, they would reinstate the lost reputation of the militia, it is necessary that they be destroyed and they are attempted to be dismissed 800 miles from home without money, stripped by the order of the new incumbent of every necessary furnished by the government & left to perish with hunger and disease,—but I thank my GOD the law under which they were raised gives them their arms until they choose to resign them— And as long as I have funds or credit, I will stick by them. I shall march them to Nashville or bury them with the honors of war—Should I die I know they will bury me—And as soon as I arrive the

necessary enquiries of the intended sacrifice of the whole of this detachment will be made & the public will be able to judge how far certain representatives and men in office are the friends or traitors to the country— The history of all Barbarous Europe cannot furnish a parallel— The bloody . . . does not contain a more damning transaction than the intention of this order. As I expect the representatives in Congress have received directions from the proper department for the payment of this detachment and a fulfillment of the engagements with them under the law of February 6th and July 6th 1812. I shall say nothing on the subject expecting that the paymaster will be prepared to pay us off— This must be done before I discharge the troops— and they have a right to expect you . . . this business before you left Congress.

I am Sir in haste,
Your O. & H. St.,
ANDREW JACKSON.

Private.

Hermitage August 20th. 1832.

My Dear Sir,—

I have had the pleasure to receive your letter of the 13th instant enclosing one from Mr. Horn of Philadelphia, which I now return to you, and thank you for its perusal, The veto, contrary to the hope of Messrs Clay & Co. *works well*, and instead of the Bank putting me down as was calculated on, the veto will put it and its influence down. The Kentucky election has resulted well. Breathett is elected by a majority of about one thousand,— If therefore, this be a test of Clay's strength in Ky. there will be scarcely an effort for him in that State for president, as there will be no ticket for him, exclusively, in any other State— he will decline and resign his seat in the Senate, and we will have peace in the land, for a short season.

Virginia will sustain the nomination made at the Baltimore convention—the friends of Mr. Barbour on my way thither told me they would not vote for him, that it was useless, and might endanger the election of our president by the people. From what I could gather Barbour I fear has injured his popularity much in Virginia by not coming out at once, and saying to his

fellow citizens that his name should not be used to divide the Republican ranks.

I regret to learn that you have been indisposed. The journey was too long to be continued in the stage. Mr. McGavock is right in keeping you until you regain your health—please present me kindly to Mr. McGavock & his amiable family, & to Mrs. Grundy if with you— Say to Mr. McGavock his brother James and family were all in good health when I passed there, I took breakfast with him.

Mr. Bass, Doctor Hogg, and others dined with me yesterday from whom I learned that you would visit Mr. Mason soon, when I hope you will give me a call. I wish to see you. With great respect,

Yr friend,
ANDREW JACKSON.

The Honorable
Felix Grundy.

Private.

Febry 13th 1833.

Night.

Dear Sir.—

I am just informed that there will be another move to lay the judiciary bill on the table until Mr. Clay's tariff bill is discussed. Surely you and all my friends will push that bill thro the Senate— this is due to the country— it is due to me, & to the safety of this union and surely you and others of the committee who reported it will never let it slumber one day until it passes the Senate— lay *all* delicacy on this subject aside and compell every man's name to appear upon the journals that the nullifiers may *all* be distinguished from those who are in support of the laws, & the union.

I am mortified at the committee appointed on my bill—surely it was due to me that at least a majority of the committee should have been supporters of the administration—it is an insult to me, & the Sec. of the Treasury that such a man as Mr. Clayton should be upon it.

I would be happy to see you, but I have confidence that you will push the bill. the whole bill and nothing but the bill— A letter just received from Columbia, So. C. states that the 15th

instant is the day for the assemblage of the volunteers, that the aid of the Gov. has left there, to assemble them, and lay in supplies— therefore it is that I wish you to press the bill.

yrs.

ANDREW JACKSON.

Judge Grundy.

Hermitage Decbr. 16th, 1837.

My Dear Sir.—

The cries of the widow and orphan (and particularly those who have become so by death, bravely fighting the battles of their country,) for relief from want, at all times penetrate my feelings deeply—and particularly those whose bravery I have often witnessed in battle, & who have spent many days of privation, & nights of watchfulness with me in the tented field. This is the case with Captain Ross, who fell in Florida and whose widow has brought to my view her, & her dear children's distressed situation. I enclose you her letter, and ask your aid in obtaining by a special act of Congress relief for her and her dear children. It is a case that Congress has the power, to provide for, and justice requires that it should be done. There never was a more gallant officer in any army than Ross— every officer who has been with him will vouch for this—Can it be that Congress will not provide for the representatives of those who pour out their blood in defence of their country, whose life was their only support— I trust not— the precedent would be dangerous in case of future war— I trust therefore you will give your aid to a special act for their relief.

A Reverend Gentleman (whose name I have forgotten, from Paris, western district) waited upon me with his plan for establishing a College at Paris, and with a memorial to Congress on the subject of relinquishing the scrip lands to that institution which remain in two or three counties unappropriated. I told him I could not sign any memorial to Congress but that I would write you, at his request, who I was sure would give it support, as I viewed the application reasonable & beneficial to the education of the rising generation. Your support would be grateful to your democratic friends in Tennessee.

The course of Mr. Bell in attending the aristocratic, federal,

& shinplaster meeting in Boston & New York, & his speeches at those meetings, which is a transfer of Tennessee to Mr. Webster & the blue lights, abolitionists and vagrants, is working well here— it has fully opened the eyes of the democracy in Tennessee, and none of his Whigg friends here will guarantee the sale— Mark me— Republican Tennessee will be herself again in less than two years— The resolution to instruct the Senators to vote for a national bank sleeps upon the table— its mover was precipitate & there it will lie, unless some of your friends bring it up. The premature election of Mr. Foster has embarrassed the Whiggs greatly, & if it was open now, the election would, as I am informed, be postponed. Every thing in Tennessee is working for the best, and every day convinces me that Tennessee is becoming herself again & Bell is, and will be prostrate. The moment Webster or Clay is brought out publicly for the presidency then Tennessee takes a noble stand against both— Martin of Jackson, Madison County, I am informed will take a firm stand against both, & in favor of the Divorce Bill.

Give me a particular account of the Conservatives in the Senate— they must feel badly in their present and late attitude. Please inform me why it is that the Senate debates and journal of the convention that was taken by Mr. Madison has not been published— are they kept back for effect— Respectfully your friend,

ANDREW JACKSON.

The Honorable Felix Grundy.

P. S. After using Mrs. Ross letter enclosed, please return it to me. A. J. My health is improving, but my vision is much impaired, so that it is labor for me to write, & I am apt to make mistakes.

A. J.

Private.

Hermitage,
August 23, 1838.

My Dear Sir,—

Col. Walker has just shown me several communications from Genl Smith removing agent for the Cherokees, & others, which he will forward you by the mail that takes this and to which I refer you.

The contract with Ross must be arrested or you may rely upon it, the expense and other evils will shake the popularity of the administration to its center.

What madness and folly to have had anything to do with Ross, when the agent was proceeding well with the removal and on principles of economy that would have saved at least 100 per cent from what the contract with Ross will cost whilst the present appropriation for this object, would have exceeded the expense, whilst the contract with Ross will far exceed it, and compel a resort to congress for a further appropriation. What a fine (excuse ?) for Bell, Wise and Adams. I have only time to add as the mail waits, that the contract with Ross must be arrested, and Genl Smith left to superintend their removal— The time and circumstances under which Genl Scott made this contract shows that he is no economist, or is, sub rosa, in league with Clay, & Co. to bring disgrace on the administration. The evil is done, it behooves Mr. Van Buren to act with energy to throw it off his shoulders.

I enclose a letter to you under cover, unsealed which you may read, seal and deliver it to him, that you may aid him with your views in getting out of this real difficulty.

Your friend in haste,

ANDREW JACKSON.

Felix Grundy, Esq.,

Atty Genl U. States.

P. S. I am so feeble I can scarcely wield my pen, but friendship dictates it, & the subject excites me— Why is it that the scamp Ross is not banished from the notice of the administration.

Confidential.

Hermitage,
February 20th, 1839.

My Dear Sir,—

I had intended long before this to have acknowledged the receipt of your letters, but I have been annoyed by a prosecution set on foot by two of my nephews, against four of my negro boys, George one of the number, for the alleged crime of the murder of Stockley Donaldson's Frank— The death of Frank happened in a drunken riot of from forty to one hundred negroes

all engaged in the riott—four of my boys selected out of this number for prosecution, before one witness was heard, on the oath of Stockley, who was not present at the riott—the result was,— the grand jury acquitted George— the other three acquitted by the traverse jury, & as I am told, there was not one of the jury that were not of the opinion that Stockley Donaldson's man Jack was one who done the deed—I am confident from all the proof that neither of mine charged ever touched him— My attendance during the examination of the witnesses, which I considered my duty, gave me a violent cold, which had nearly brought me to the grave & has laid me up ever since— My cough is moderating a little, & I feel like I might regain my usual debilitated health.

As far as my health would permit and the public journals afforded information, I have kept in view the reckless conduct of the opposition. It is plain that Rives has his secret agents in your camp—you must free yourselves from them, or you will always be annoyed by the false statements of these spies to Wise and Rives for I have viewed these men as equally unprincipled & as mere lackies to the opposition and looking to them for promotion as the wages of their apostasy & baseness. Was I now in the presidency I would remove every conservative in the offices of the Departments.

The Campbells, the Crunks, the Smiths, and every head of a bureau that had joined that party,— for be assured it is, & was, these men who started the Madisonian, and aided Rives & Talmage in their mischief, & for awhile led Richie away. The city postmaster might be profitably changed— If I mistake not, the most of these men have been engaged with Swartwout in the speculations in the Morse's canal stocks & coal mine speculations & united with the New York conservatives to destroy Mr. V. B.

If Daniel Jackson, Thomas Smith Register, & William B. Lewis were brought to the stand on oath, it is believed that they could tell how Mr. Swartwout invested some of his cash. If this conjecture is true, what safety has the government, if its officers know that a collector is engaged in speculation in stock and fail to communicate it to the proper Department— none.

I have no doubt if the truth can be reached, that the Whigg

merchants of New York hold in their hands of the revenue chargeable to Swartwout, from \$600,000 to \$800,000 if not more, and it is suggested that he loaned to our little Whigg printer, Hall of the Banner, some thousands, and as hinted to me, McLemore and Genl. Armstrong were to value the property at or near Nashville for Swartwout on which a mortgage was to be taken, but since Swartwout has been blown up, the land proposition and such papers has not been committed to record & the property has since been seized by execution against Hall and Swartwout will lose this debt as Hall is (as it is believed & said) a bankrupt. Swartwout ought to be brought back & kept in a dungeon until he makes known the whole truth and all his intimate conservative associates ought to be interrogated on oath. Daniel Jackson I would suppose knows all about his transactions.

The military as well as the civil ought to be purged—Gains ought to be stricken from the roll of the army for the requisitions made upon the governors of Tennessee and Kentucky—it was intended for political effect, and he is constantly, as I am informed, villifying the administration of the government, and poisoning the minds of the people against it. He has some influence in Louisiana; yet, & with the inveterate Whiggs in Alabama. If he remains in the army and we should have an Indian war in the West, he will disgrace the government as sure as he commands—and let me tell you that Genl Scott is very little better—neither will do to command against Indians. In the event that Genl Gaines office should become vacant, as some say he is about to resign, which I do not believe, I have named Genl R. Armstrong to fill it—in the event of an Indian war it could not be better filled than by Armstrong—and let me assure you that at the low ebb of patriotism in this district at present, Armstrong is a host, and without him the Republican party would dwindle into nothing; but he struggles & keeps it alive, & I hope that the former spirit that gave life to the whole Republican party throughout the State will again be aroused in Davidson and Wilson. If it does, it will be owing to his exertions and a few others. Armstrong is poor and such a command on our western border would be advantageous to the frontier and to his large family. In conclusion mark that the rebuke of Duncan in his excellent speech to me and Mr. V. B. is just—and the corrupt men who hold office & are trying in secret to destroy the admin-

istration, both civil and military, ought to be swept from the register or the government will always find itself in trouble by officers whose endeavors are to destroy the administration; and the postoffices throughout the land ought also to be purged. The administration has been unjustly assailed, and it ought now to take its stand and permit no one to eat its bread who would not faithfully aid the administration in administering the government agreeable to the constitution & the laws; when this is done, and not until it is, can the administration get on in peace and harmony in the due execution of the laws, and it is due to the administration & the people that this should be done. The people expect this, & now, and will never be satisfied until their wishes are fulfilled.

Our new editor commences well, and if we can get Burton out for Congress this District will be perfectly regenerated. Carroll after three months deliberation declined; and if Burton will not run for Congress, then this district in which I live, and have long lived, is to go by default to Bell. I hope for the better, but I am truly mortified.

I write you this in confidence, and hope you will use its contents in your consultations with Mr. VanBuren to whom present me & my family kindly & say to him I am awaiting a line from him giving me a view of when we will see him in the west & his route.

My little family join me in kind solicitations to you & yours and believe me your friend,

ANDREW JACKSON.

Felix Grundy, Esq.,

Atty Genl for the United States.

P. S.—I shall expect to hear from you on receipt of this. I hope to hear that the Augean stables will be swept. The Virginia elections over the good work ought to be begun. Please with our good wishes to say to Mr. Woodberry the Whiggs cannot tarnish his fame. the people will sustain him. My kind regards and that of my household to all the heads of the Departments & theirs.

A. J.

Private.

Hermitage, May 17th, 1839.

My Dear Sir,—

Your letter of the 14th last April has been recd. I rejoice at

the result of the recent charter election in the City of New York. This is a movement of the people alone, and is a convincing proof that when the people reflect they will always decide in favor of the pure Republican principles. New York will give at next election a triumphant Republican vote. *Mark this—*

From the signs of the times here everything denotes a change in public sentiment throughout the State. Polk will be elected, as I believe, by a triumphant majority, and if the best informed in this congressional district are not deceived, Burton will beat Bell. If Burton had come out six weeks sooner he would have carried the district without opposition. Bell would not have been a candidate. It was the influence of Genl Armstrong with my own with Mrs. Burton that at last brought him out. Armstrong has done his duty faithfully, and rest assured deserves the attention of the Republican party & the executive. He has done more in East Tennessee than any other man, by convincing his old friends who were under Judge White's influence of his apostacy & want of principle. The government could aid him by giving his son Josiah, a very fine, sober, and industrious youth, the settlers place in Arkansas & continuing Harris, the general's son-in-law in the place selected for them. I am assured that everything will be done for them that can be with propriety, by the Secretary of War & the President. Let me assure you that taking into view Genl Armstrong's large family & limited means no one has done more for the good cause than Genl Armstrong—and I pray you to join your influence to obtain for Josiah & Harris the situation selected. it will be the means of aiding the Genl & enable him to remain with us—otherwise he will have to move west & seek a new country for his large family where his expenses will be less.

Present me to the President and his family to Mr. Blair & his—say to them I rejoice in their good spirits, and will write them tomorrow—say to them the people will support the administration by its continuing steadfast in its course—the people has demanded and will have a separation of the government from *all Banks*.

My household joins me in kind regards to your lady & family.
Yr friend,

ANDREW JACKSON.

Felix Grundy, Esq.,
Atty Genl for the United States.

LETTER FROM MAJ.-GENL. EDMUND P. GAINES

[The following communication is in the archives of the Tennessee Historical Society without any note to show whence it came to the society. While not in Gen. Gaines' hand, it bears his autograph signature. Evidently intended for publication, it is not known if it has been published before, or if any copy reached the adjutant-general.—ED.]

To Brig.-Genl. R. Jones, Adjt.-Genl. U. S. Army, Washington.

Headquarters Western Department,
Camp Sabine, July 4, 1836.

Sir:

I received on the 25th at Pensacola on my way to this place your letter of the 10th of March.

I have delayed replying until now from a firm conviction that my letters of the 15th and 25th of January and 6th of February to you with those of the 2nd 22nd 28th and 29th of February and 2nd of March to General Clinch with my orders and special orders of the 18th of January to the 9th of March 1836 inclusively reported to you by my acting Assistant Adjt.-Genl for the information of the proper authorities would fully exculpate me from the imputation of Genl. Scott that I had "interfered with his command" or "disturbed his plan of operations," &c; more especially as the complainant's accusations were not deemed to be of sufficient importance for me to be furnished with a copy. But having recently seen the attacks made on me, through the newspaper called the Globe, and some other papers of equal respectability and of all political parties since the 1st of April last, purporting to be from the pen of that officer or from his dictation or sanction aided by the Quarter Master General a franking bureau officer of the War Department—these insidious publications assure me that I am again wantonly assailed. These combined attacks suggest to me the propriety of making for the information of the proper authorities, the remarks and explanations which follow and which

I deem necessary and proper in vindication of my conduct, my movements and connection with the war in East Florida between the 15th of January and 9th of March last inclusive—a task which I was more than willing to abstain from or leave to others as I could not consistently with my own self-respect and justice to my Command repel the calumnious accusations without calling in question the opinions of high public functionaries whose judgment and patriotism I had long sincerely respected; nor indeed without seeming disposed to join in an acrimonious controversy which nothing short of an order from the President or the absolute necessity of self-defense could prompt me to do.

The order No 7 of the 20th of January of the present year requiring Genl. Scott to repair to the left wing of my department was never seen by me until my arrival at Fort King the 22nd of February. I state this fact simply because it is a fact hitherto I apprehend, unknown at your office—but it is a fact to which I attach little or no importance. Had I received this order at Pensacola I should have viewed it as a measure of the Secretary of War taken without a full knowledge of the progress of the war upon that frontier and of the circumstances which had rendered my movement to Florida proper and that therefore my movement thither ought to continue until I should feel assured that the President was apprized of all the material facts bearing upon the subject; and more especially until the officer authorized to enter upon that part of my Command assigned to him and which formed the principal theater of the War, should make his appearance in person upon that theater of the War; unless indeed my attention had been called to other and apparently more important military operations also in war than those which called me to East Florida.

This view of the subject is based upon an essential principle of military law, derived from the laws of nature and incorporated in our institutions—a principle sustained by the ablest writers of all enlightened nations to whose works I have had access—a principle without the strict observance of which no nation whose geographical limits exceed twenty miles square could be successfully defended—a principle deeply interwoven with the highest attributes of sovereignty and of self-government namely, self-defense and self-preservation as a nation or a State; or in

other words Protection, immediate and instantaneous, to the exposed feeble members of the community from savage war.

Let us look at a few of the principal features of the case in question and see the probable effect of contrary conduct on my part.

In command of the Western Department I had learned at New Orleans of a great and unlooked-for disaster occurring in my department far removed from the seat of government from whence alone could I hope to receive new orders or special instructions more applicable to the case than the orders of the President embraced in my commission to serve the United States diligently as a General officer with the orders he had given me to command the Western Department. An important white settlement in my Department was reported overrun, sacked and burnt; a United States Agent of Indian affairs, eight officers and ninety eight soldiers with many citizens killed and their property stolen or destroyed, and I was aware that many neighboring military posts, Forts Brooke, King, Drane and Key West all in my department were without defense other than what an efficient force of 500 men could take in a few hours—the garrisons of two, Ft. King and Key West being insufficient. I knew that there were about 600 regular troops in Florida and these separated by a wilderness supposed to be occupied by the enemy comprehending near 20,000 square miles extending near 250 miles from North to South, and 120 to 40 miles from East to West.

The destruction of the brave but unfortunate Major Dade with his heroic officers and men affords an impressive lesson upon this subject which no prudent soldier should ever lose sight of. Under these circumstances what was the duty of the Commander? This question can be most readily answered by another. What had I promised upon oath to do? “To bear true faith and allegiance to the United States, to serve them honestly and faithfully against their enemies and to obey the orders of the President and the officers appointed over me according to the Rules and Articles of War.”

I had with me my sword and commission with orders to “command” this Department. It is well known that for me to command a military department is in a plain military sense so

to order and employ the men and means confided to my direction as to protect the people of the United States in that department against their enemies and if it be in time of war, to continue so to command until duly relieved by the new commander in his own proper person and on the theater of the war. Failing to comply with this injunction I well knew I might have suffered the enemy to kill numbers of citizens and troops in addition to those already slain, burn their houses and take their property.

It was my duty therefore without waiting for new orders to collect any disposable force within my department sufficient to strike the enemy, subdue them or check their devastations until the President should have notice of them and of my efforts to arrest them and then give such new orders as he might see fit.

But it is contended principally by those who have proved themselves better qualified for the quiet vocation of a writing desk than the turbulent scenes of an Indian war that I should have abandoned the expedition at Pensacola because I received on arriving there your letter notifying me not that Genl. Scott had actually arrived at the theater of war in Florida but that he had been ordered thither by the Secretary of War!

Little reflection is necessary to see the fallacy of this closet-view of the subject. I had embarked pursuant to my letter of Feb'y 2nd to Genl. Clinch or the officer commanding in the north east border of Florida with a view to co-operate with that officer. I had given a pledge to the principal force with me the Louisiana Volunteers, that I would not require them to go farther than I would myself go and that I would stand by them as long as they would stand by me in bringing the war to a close. I had thus promised with a force of 700 men so to co-operate; this force had been increased before embarkation to near 1100 men.

With this very respectable force embarked and in its movement for Tampa Bay within two days reach by steam of that place I received at Pensacola the notification from you that Genl. Scott had been ordered by the Secty of War to that part of my command to which I was under the above mentioned circumstances destined. But what assurance could I have that he was there? Did you notify me that he was at the post assigned him? or that such arrangements had been made as afforded reasonable hope that Genl. Scott would be prepared soon to breast the

storm of savage desolation and protect from the scalping knife and firebrand the helpless citizens of both sexes and of all ages in that region who had looked to me as their protector? Did you tell me that Ocoola and his chiefs had given the President assurance that they would suspend their massacres and conflagrations until Genl. Scott should complete his plan of operations and be quite ready to subdue them?

No such thing is found in your letter. Nor had I any reason from the previous Northern or Western wilderness movements of that officer to anticipate anything like a prompt movement on his part into the wilds of Florida, longer than he should find himself and his forces and supplies propelled by steam power.

The now well ascertained fact that Genl. Scott confined his personal operations to the little interior and unmenaced towns called Picolata, Volusia, Black Creek and Fort Drane and the intervening country within the white settlements, occasionally on the little steam boat the *Essayons*, for near six weeks viz: from about the middle of February until the 25th of March last without any attempt on his part to search for the enemy proves clearly—not that I should have abandoned my expedition at Pensacola at Tampa Bay at Ft. King or at the Withlacooche without subduing the enemy—but that I should if possible have redoubled my efforts to accomplish this all important purpose sooner than I did; and in place of leaving them under a pledge that hostilities on our part should cease if as they proposed they would peaceably await the arrival of Genl. Scott and would attend to the terms he should be authorized by the President to offer them (a pledge which appears to have been wholly disregarded by that officer).

I had taken them to Tampa Bay, completed with them a treaty in accordance with my own understanding of what was due to them and the United States—a measure which I am convinced I could have accomplished had I not indulged in the fruitless expectation that Genl. Scott would arrive soon after hearing I had found the enemy and employ himself in the performance of the diplomatic and other duties assigned to him by the Secty of War—I have no doubt that I should by such a movement have relieved the Florida frontier forever from all further disturbance on the part of these Indians and should have placed them in a position calculated, in time, to change their in-

veterate hostility, desperation and distress, into peace and comfort if not to a sense of respect and gratitude to our Government and country, for the humanity, care, and kindness extended to them, on their having sued for peace. I am well assured that every officer, and every intelligent soldier of the Louisiana Volunteers and United States troops, then with me upon the Withlacooche, will concur in the opinion just now expressed.

From the foregoing views it may possibly be inferred that I may have been disposed to attach blame to General Scott for his readiness again and again to solicit or accept a command which he might imagine was calculated to awaken in my mind sentiments of personal ill-will toward *him*, such as he had some years past labored through many acrimonious pages, to produce; but which *time*, with that sort of reflection which naturally results from a *rational use of time*, had so mitigated as to induce me, on receipt of your letter notifying me that he was ordered into my department, so far from feeling *dissatisfied with him*, to resolve upon availing myself of the occasion to co-operate with him [though junior to me] in a manner which I felt convinced, if he did his duty correctly, would be the means of enabling us at the proper theatre of action to settle our disputes forever, *by our joint efforts in battle, to show which of us could do the enemy the most harm and our country the most good*; and thus, in the best possible way of terminating personal enmities, restore between us that harmony which a proper sense of public duty should prompt every high-minded public functionary to extend to each other, so that the public service should suffer no detriment from their intemperate controversies. I knew General Scott too well to imagine he had ever solicited such a command, in the swamps of a wilderness, and against an enemy such as he had long held in contempt; and I had long since ceased to cherish towards that officer any feeling of hostility.

I had triumphed in the controversy forced upon me. I was gratified at my triumph not so much that Genl. Scott was vanquished as that the law of the land was maintained and preserved inviolate by the part I had taken in the controversy.

I shall again triumph—not that I have any claim to that peculiar talent of which some of my reckless enemies may boast—

the talent of making the worse appear the better cause but that I have the law of the land to sustain me.

It is my present purpose to show that the facts of the case were such as to prove that I was constantly within the pale of military law; I cannot therefore but prove myself to have been in the right and that all who are opposed to me are in the wrong.

It will be seen by referring to my letter of Feby 22 that I expressed my purpose cordially to co-operate with Gen. Clinch or the officer commanding in the N. E. border of East Florida or at Ft. Drane.

I also expressed my hope that our joint efforts might tend speedily to terminate the war. This sentiment had been often expressed to my staff and field officers.

It is true that my letters were all addressed to Gen. Clinch or the officer commanding at Ft. Drane; and properly, as they were intended obviously for the information & government of any officer in command there of the force assembling there for the defense of that part of the frontier. Soon after my letter of Feby 22 I had seen at Ft. King a letter from Genl. Scott expressing a desire to know where the principal force of the enemy could be found; that letter was addressed to Genl. Clinch and dated at Picolata about Feby 17th or 18th. Not doubting the sincerity of Genl. Scott's wish I was truly gratified to be able to say that I would search for their principal force and would report accordingly.

My superior knowledge of the country and the enemy justified the hope and expectation that I should soon be able to relieve Genl. Scott's supposed anxiety upon this point; for my movement by the Alafia and the battle ground of the lamented Dade where there was most reason to believe the enemy would make their stand (that being deemed the place of their greatest good luck as the interpreters termed it), having proven that their principal force was not in that quarter I could not doubt that I would find them lower down on the Withlacoochee; and I therefore determined to continue my search in that direction—that being in the direction of Ft. Brooke, the only certain point where I could replenish my supply of subsistence and ammunition—the great supply which should have been at Ft. King having been withheld from that place—whether intentionally to embarrass my operations or from ignorance of the country with

its wasted resources; or ignorance of their duty on the part of Genl. Scott and his Quartermaster General I am yet to learn. It is sufficient for me to affirm that large supplies ought and might have been at Ft. King and Ft. Drane before Feby 22nd and that I was unable to obtain more than eight days rations with scarce an hour's supply of ammunition. Nor could I leave these posts on a slender allowance; that could not have been justified but by the expectation of other supplies being on the road to them, and that my movement would divert from them the attention of the enemy. My plan was under all the circumstances necessary and proper, and it was also proper for me to address my letters intended for Genl. Scott who I was aware was not in my Department to General Clinch known to be on duty there, or the officer in command at Ft. Drane where Genl. Scott was shortly expected, where, indeed, he ought to have been before the middle of February. Gen. Clinch who perfectly understood his duty immediately forwarding my letters or copies to Genl. Scott at Picolata, who in place of a prompt response meeting in the spirit in which it was offered my proposition to co-operate with him in bringing the war to a speedy termination—indulged in unwarranted animadversions—imputing to me the worst of motives and wasting in unavailing murmurs that precious moment for action by co-operation with me or if he preferred by taking the field and relieving me; he appears rather to have occupied himself by writing accusations against me and trying to convince the President that I had been guilty of some criminal interference with his (Genl. Scott's) authority as stated in your letter of the 10th of March and more fully stated in the publications dated Picolata, Black Creek & Ft. Drane and more recently from other places purporting to be from Genl. Scott & other officers of the army all referring to the plan of operations and opinions of Genl. Scott, but so artfully mixed up with plausible fiction and reckless calumny slightly tempered with a few grains of truth; so as to render it impossible to discriminate between the official, the semi official and mere hireling slanders contained in this mass of matter. I would not willingly in an official communication to your office to be submitted to the President take any notice of anything contained in those publications that is not strictly official. If I err in my attempt to discriminate in this particular I will thank you to

enable me to rectify myself by favoring me with all the official statements referring to my conduct in relation to the war in Florida as I may deem it to be essential to my vindication to show to all who may have entertained a doubt, as I trust I have already shown to the satisfaction of every man of military mind, who had heard me, or seen my vindication, upon the following points:

1. That the proper time and place for me to have suspended my movements, and for General Scott to have entered upon the command assigned to him in my department, was when he should appear in person near me, at the known theatre of the war, and nowhere else, while the war continued.

2. That, until he thus made his personal appearance near me, at the theatre of the war, he had no right whatever to assume the control of a soldier, a public horse, or a public ration, within the limits of my department.

3. That it was my bounden duty to retain the control of every soldier, every horse, every ration, and every other species of public property necessary to the success of my operations against the enemy, connected with the command of the Western Department; and, above all, to retain and exercise the command, honestly and faithfully on the part of the United States "against their enemies or opposers, whomsoever;" and (in the language of the 62nd article of war) give "orders for what is needful to the service, unless otherwise specially directed by the President of the United States, according to the nature of the case," and the President has never specially directed it to be otherwise. The Adjutant General's notification of orders given through him by the Secretary of War was insufficient. This was, to say the least, a loose way of carrying into effect a solemn provision of law, embracing a subject of great delicacy and importance to the service. (See the 62nd article of war.) When the law expressly forbids a change of command, as in this article of war, without the special direction of the President, it is obvious that the spirit of the law cannot be fulfilled without the direction is given by the President, or in his name, by a person known to be authorized to communicate the orders or directions of the President. The Adjutant General wrote by order of the Secretary of War. Nevertheless, if the President himself had given the order that General Scott should enter upon

the duties of the command against the Indians in the Western Department, whilst I was in the field, I contend that neither myself nor any other officer engaged as I was in the immediate protection of the frontier, in the pursuit of the enemy, or in action, holding the enemy in check, could, with any propriety, or without a crime abandon the command merely on receipt of the order, and before the arrival at the place of pursuit, or of action, of the new commander, unless specially directed by the President so to abandon the command. A direction such as I venture to affirm has never been given in any civilized nation, whose military history is known in this country. The theatre of the war was the place, the only proper place, for General Scott to enter upon and for me to abandon the command assigned to him, at any time before the enemy was subdued; but that officer did not choose to make his personal appearance at the Withlacoochee, though cordially and repeatedly invited by me, and challenged by the reiterated reports of my cannon and by the war whoop and rifle of the Indians, (as announced to him by General Clinch) to partake of the professional banquet which was regularly spread before me every day, from the 27th of February to the 5th of March inclusively. I did not choose to urge or entreat him to come, because I have never desired to see an officer or soldier near me in action who did not come cheerfully and promptly, or who has been habitually vexing himself in fastidious scruples about his rank; and because I had reason to apprehend, from the tardiness of his movement, that a disease which General Scott contracted towards me, in August, 1814, had not been completely cured. It was probably, that sickness of the spleen, which the best of Doctors say "finds ease only in the misery of others;" a sickness which a rapid march to the Withlacoochee, with the animating scenes, the martial music, pure air, and simple food of that region of the wilderness has never to my knowledge failed to improve the health of troops afflicted with disease of any kind, including cholera. That General Scott was retarded in his movement to the Withlacoochee by some secret griefs, I could not doubt. What they were I know not. They will doubtless be disclosed in due time. He appears to have been content, for a time, with the notion that I had most improperly and prematurely interfered with his command, and disturbed his plan of operation before it had been brought to matu-

rity—that it was my duty to consider him as entitled to the command, and the entire control of my troops and supplies, before he arrived in person within the limits of my department:—that my subduing the Indians ought to pass for nothing, because he was especially authorized to subdue them! Childish conclusions, these—too trifling to merit any notice—nor should I have noticed them but for the call made on me to explain and vindicate my conduct; and from the hope that my vindication may be read by the well-meaning officers and men of the Volunteers, and the army, who doubt, if indeed any doubt the propriety of my conduct, who, I am convinced, will readily yield their hasty opinions to the conviction which mature reflection on the subject cannot but produce. They will agree with me that my path of public duty was plain—too plain to be mistaken by any honest soldier or citizen not blinded by the spirit of party, or some other diabolic prejudice or passion; it was, without waiting for mere orders, to fly as rapidly as possible, with whatever disposable force and supplies might appear to me necessary and proper to enable me to arrest the progress of the apparent growing evil of the late disasters, strengthen the feeble military posts, and, if possible, put an end to the war by a vigorous co-operation with my forces found in that quarter, or otherwise, according to my own plan of operations, contained in my letters of the 2nd, 22nd, 28th, and 29th of February, above referred to. The sum and substance of my design was to afford prompt and complete protection, that sort of protection which is guaranteed by the constitution of the United States to the people of the United States—including the pioneer, the widow, the orphan, inhabitants of the frontier camp or cabin, as well as the polished and wealthy citizen of the great emporium of party politics, of commerce, and fashion, that complete protection, the work of which should, if possible, commence before the work of destruction upon the frontier is finished, or even begun—protection to the living citizen rather than to the ashes of the slain. My plan of operations was expressed as concisely as I could express it, in my letter of the 22nd of February—it was “to search for the enemy until I should find them, and then beat them, as otherwise they would beat me.”

4. In carrying into effect this plan of operations, I could suffer no officer to interfere with my troops, military posts, or supplies

of any kind, within the limits of my department, until he should appear in person within those limits duly authorized, and apparently ready and willing to meet the enemy and protect the people of the United States within my department "against their enemies or opposers, whomsoever;" or until I had met and beaten the enemy, and compelled them to sue for peace.

5. I did meet the enemy, and did several times beat them, and finally compelled them to sue for peace. How this was accomplished I need not now undertake to describe. Grave doubts have been expressed in some of the publications to which I have referred, as to the sincerity of the Indian chiefs in suing for peace, upon which is supposed to rest the fact of their having been subdued. I am willing to leave the issue of these questions to the testimony of officers, and the intelligent volunteer and regular soldiers who served with me, pledging my honor to abide by their concurrent testimony. But I am not willing to be tried and condemned without a hearing, and by persons who were not only not near me, but who have given me good reason to believe they would have been better pleased at my downfall than at the triumph attained by me over the enemy—persons who knew full well that the final decree at which every enlightened citizen and soldier who investigates the subject must sooner or later arrive, establishing the correctness of my conduct, must virtually fix the seal of condemnation upon theirs. Hence it was that many hours and days of precious time, which should have been devoted to active operations against the Indians, were sacrificed at Picolata and Fort Drane, and other places, to the fabrication of slanderous essays, to forestall and mislead public opinion—to condemn my movements, and cover me with the vilest detraction. The editors of newspapers, hitherto professing friendliness towards me, have been employed as the leading vehicles of this atrocious scheme of slander. Why is this so? I answer, that it is because I disdain to be the man of a political party! I owe allegiance to the United States of America and not to a party.

It may be that I did not require my officers and men at the Withlacoochee to take from the enemy as many lives as they had, by their savage conduct, forfeited—but where was the bond, or the principle of the laws of war or of nations binding them to give or me to take the life of any one of them after they had

raised the white flag and sued for peace? Their first proposition was made on the evening of the 5th of March. They were then told that if their chiefs would come in the next day they would be heard. They accordingly came in with a white flag on the morning of the 6th when they said in the most subdued manner, "we do not wish to fight any more; we have lost many of our warriors killed, and others disabled by wounds—we do not wish to lose any more in this way or otherwise than by sickness or the falling of trees and we desire to make peace."

They were told in reply that I was not authorized by the President to treat with them but that I had heard that an officer was on his way and would soon be there with authority to treat with them; that if they wished for peace they must lay down their arms or cease to make any further use of them and stay beyond the Withlacoochee until the officer authorized to treat with them should arrive and that they must then go wherever he should require them; but that if they should commit any more hostilities our troops, of which we had many, would kill all of them found with arms in their hands.

They then counselled among themselves and their warriors until 4 or 5 o'clock in the afternoon.

The chiefs then returned and freely assented to my answer to their propositions—the last sentence of which my acting inspector general was for the second time explaining to them, when Genl. Clinch arrived in sight with the troops of his immediate command from Ft. Drane, some of whom fired in the direction of the Indians, but at too great distance to hurt them. They then hastily retreated to the adjoining hammock; they manifested no disposition to violate their engagement nor do I believe there was an officer or soldier with me who had witnessed their conduct who entertained a doubt but that they were subdued and perfectly sincere in the desire they expressed to abstain from further hostilities and meet Genl. Scott in council whenever and wherever he might direct. I remained in command, in order to satisfy myself of their sincerity, until the 9th of March, during which time some hundreds of my men were allowed to amuse themselves fishing, for a mile or two up and down the river, without discovering any indications of further hostility on the part of the Indians, some of whom were seen on the opposite side of the river.

I, on the 9th of March, turned over the command of the troops then with me to General Clinch, as will be seen by my orders of that date, with a view to repair to their frontier. It is proper here to remark that, in order to obtain accurate information as to the positions of the chiefs and warriors, and whether their pacific views remained unchanged, after being fired on by the volunteers with General Clinch, I approved the suggestion of General Clinch to send a black interpreter across the river to their camp. He set out on the 8th and returned on the evening of the 10th of March. He reported that the chiefs and warriors had gone up the Withlacoochee, near thirty miles above Camp Izard, to where their families were stationed; and that the Chiefs told him that they were waiting agreeably to my direction; and that they would be ready in five days to hold a council with the officer expected on for that purpose. General Scott was that officer;—who, in place of meeting them in council, and directing them what to do to enable them to obtain peace, and conform to the wishes of the President of the United States—General Scott openly avowed (as I have been informed, and his official letters imply), a determination to pay no regard to my arrangements with the Indians, but to obtain an overwhelming force, and then annihilate them. His blustering threats, to this effect, were probably known to every person, white and black, in and about the house of General Clinch at Fort Drane; and, as some of the black domestics were in the habits of intimacy with the black interpreters, it was more than probable that in this way the threats of the gallant General reached the ears of the Seminole Chiefs. Nothing, therefore, could be more natural than that they should prepare for self-defense, and self-preservation against a commander who had recklessly disregarded the pledge made to them by me his immediate predecessor in command and his senior, a pledge which could not be disregarded without a gross violation of the laws of nature and of war, which no nation can tolerate, without a positive disregard of the most sacred of obligations of good faith towards her neighbors. The sequel has proved the fallacy of such threats and the truth of the proverb that “the battle is not always to the strong nor the race to the swift.”

6. It may be that I did not expose my officers and soldiers volunteers and regulars to as much risk and loss as

some of my accusers deem necessary to give *eclat* to a triumph. Heaven preserve me I pray from that *eclat* which is won by the useless or wanton sacrifice of those placed under my command.

If my accusers have reason to believe from the testimony of those who ventured to accompany and co-operate with me in battle that I neglected any important duty to save my own life or the life of any of my officers or men it would be strictly correct in them to establish if possible such a charge.

But, upon this point, as upon all the imputations of General Scott and his franking and writing friends, I hold towards them the attitude of honest defiance. Had the constitution or any other law of the land required it, or had I ordered it, I have not a doubt that every officer and soldier with me at the Withlacoochee would cheerfully have agreed, "if the enemy would stand," to desire them to take the first shot; and would, moreover, have declined the comfort and security of sleeping or fighting behind a breastwork, had not this method of occasional action and rest been consecrated by the example of our own beloved Washington, and all great and good men who have signalized themselves in the defence of our country. I think it more than probable that my brave little army would have subdued the enemy a few days sooner than we did had I directed them to make a few rapid sorties; but I had promised General Clinch to make no sorties until I should hear from him, from an apprehension that a sortie would have dispersed and driven off the Indians before the arrival of mounted force—the only description of force with which a sortie could have been made with full effect; at the place which I occupied with the aid of the anticipated mounted force, I had calculated on taking or destroying most of the Indians, and terminating the war in the course of a few days. They were, however subdued, and sued for peace near twenty hours before I heard from General Clinch. (See my letter to that officer under date of the 29th of February, in which I promised to abstain from making a sortie until I should hear from him.) On the subject of a sortie, however, I was convinced that I would not have succeeded in rendering it effective without the loss of from 50 to 100 of my officers and soldiers; and I have no hesitation in saying that I would not have had twenty of my excellent Louisiana volunteers or regulars recklessly sacrificed, whilst momentarily expecting the arrival of mounted force, to have laid at my feet

in chains all the Indians in Florida! The troops were, for several days, held in readiness for a sortie, and it would have been made on hearing from General Clinch, or in co-operation with his command, had not the Indians sued for peace before he was heard from.

7. During the numerous calumnies, official and unofficial, I have seen none more absurd than that I was actuated in my movement to Florida by no higher motive than that of a desire to obtain "laurels," to which General Scott had superior claims. I feel convinced that those who know me best, will testify, that I have ever been incapable, even while a young subaltern, of that overweening vanity and officiousness which sometimes prompt the weak or the vicious to attempt to rob their brother soldiers of what may be justly their due Laurels, indeed; the idea of obtaining laurels in an Indian war, I have long deemed to be as a vision, never to be realized by any known system of operations embraced in the art of war in its supposed improved state, nor otherwise than by watching the movements of the enemy, and profiting by his example of vigilance, rapidity of movement, and privation of food and rest. No man acquainted with the sufferings of the frontier people of Florida, possessed of a spark of patriotism or humanity, could, for a moment, be ignorant of the great and only inducement which ought or could have prompted me to make the movement in question. It was obvious to me that protection must be afforded, and quickly afforded to the bleeding frontiers of that neglected Territory, or that her late flourishing settlements would be destroyed, and that delightful region of our national frontier rendered a scene of devastation, disgraceful to the military character of our country, and doubly disgraceful to the officer intrusted with its defence.

I have shown, as I doubt not, to the satisfaction of every man of military mind who will take the trouble to read this letter, that it was my bounden duty, under the circumstances of the case, to collect together the forces embarked at New Orleans on the night of the 3rd and the morning of the 4th of February, and, with them, to repair promptly, as I did, to East Florida, and there to employ my best efforts in subduing or holding in check the enemy until the arrival of General Scott at the theatre of the war. This being admitted, my right to the entire control of the subsistence and horses, and other means of transportation

found within the limits of my department, or such as was on their passage thither, is established beyond a shadow of a doubt. Upon what ground, then, could General Scott assert that I interfered with and retarded his operations by taking rations and horses belonging to his command? I affirm that his excuse is baseless, and his assertion untrue. I affirm, moreover, that if the horses and rations which he falsely accused me of having wrongfully taken, had been forcibly seized by me from one of the posts within the Eastern Department, and to which I could have no claim, the number of rations and number of horses in question was too small to delay the movement of General Scott's grand army for more than three days' time. The whole number of rations taken by me from the day of my arrival at Fort King, the 22 of February, to the day I turned over the command to General Clinch, the 9th of March, 1836, inclusively, amounted to less than twelve thousand complete rations, and the number of horses, I am assured, was not more than eight or ten, taken from Forts King and Drane, (posts of my department) and less than this number of miserable ponies from Fort Brooke, not one of which had been placed at either of those posts by General Scott, as I have been informed and believe.

This assertion, therefore, that his operations were greatly embarrassed or retarded by my having taken the rations and horses provided for his command, is not only not true, but is marked with a reckless malignity, disgraceful to an officer, and dishonorable to a man—not to say a gentleman.

All of which is submitted for the information of the President of the United States.

With profound respect,

(Signed) EDMUND P. GAINES,
Major General, Commanding.

To

Brigadier General R. Jones,

Adjutant General U S Army

Washington City.

CORRESPONDENCE OF GEN. JAMES ROBERTSON.

(316)

Whereas the general government of the United States have at all times manifested an humane disposition in attempting to civilize the Indian Tribes, and have taken unwearied pains to induce them to become Agriculturists, instead of Huntsmen,

We, the undersigned, beg leave to subjoin our feeble efforts by suggesting a plan to effect this important purpose, as well as that of accommodating the Western states with a commercial intercourse, which plan we presume will contribute much to the interest of both objects.

It is well known that the Rivers Ohio, Kentucky, Cumberland and Tennessee, though they afford a practicable mode of exporting the produce of this fertile and extensive country, which they water, yet some local inconveniences attach to them, render it so difficult a matter to make remittances by these rivers, that the net profits are nearly lost to the owners and the produce of one of the richest and finest countries becomes of little or no use to society or commerce.

And whereas the fertile country bordering on the Tennessee River for more than nine hundred miles above the Muscle Shoals, have heretofore laboured under very great embarrassments and disadvantages on account of the transportation of the more heavy articles to a market, such as Flour, Pork, Beef, Cotton, Tobacco, etc., which articles are and will be produced in great abundance in that part of the country above the Muscle Shoals, and that for want of a good water conveyance for such produce, the spirit of industry is repressed, much to the disadvantage of East Tennessee, and ultimately to the United States.

And as there is actually a natural inland passage for boats and sail vessels, of moderate size from New Orleans into the Mobile and from thence up the Coosa and Tombigbee Rivers within a few miles (by land passage) of Tennessee River, the great appar-

ent advantage which would arise to the United States, as well as to the several nations of Indians contiguously situated, have induced us to make the following proposals:

· Proposition 1st., We will, under the encouragement and protection of the General Government, remove the obstructions to navigation in that part of the river known by the name of the Muscle Shoals, only requiring on our part such reasonable toll per Tun or Barrel, as will in a reasonable time reimburse our expenses in removing such obstructions and making that part of the river a good and safe navigation for boats of moderate size.

2nd. If the General Government will permit a Commercial Establishment to be had at the different heads of navigation on the Tombigbee River, together with the privilege of a road and warehouse on the Tennessee River at suitable points in the Indian country, we will engage on our part to commence and keep up commercial Stock, the Capital of which shall not be less than One Hundred thousand dollars, in goods prime cost, and to pay any reasonable installments to the Indians, their Agents may contract for.

3rd. We desire that Congress will intrust with a corporate capacity and proper assurances of protection, which we believe may be had by the consent and approbation of the Indian Tribes immediately concerned. This we apprehend from our contemplated situation amongst said Indians will immediately act on them and will act as a stimulus to Agriculture and Civilization and greatly improve the commercial intercourse of the United States.

We request the Legislature of the United States to take our proposals into consideration and make such regulation as in their wisdom shall be thought best, to relieve the citizens settled and now settling on so large and valuable a part of the United States from the embarrassments they now experience.

We do not request an incorporation of our company for the purpose of an exclusive commerce on any of the waters or roads mentioned, but only such power and protection as will enable us to carry into complete effect the removing obstructions to navigation and the occupancy of such sites as may be found necessary to facilitate the inland commerce of our country, which we humbly conceive to be of more solid advantage to our country than foreign commerce.

Nature has presented our part of the United States with these

advantages and invites our acceptance of them and that by a little enterprise they may be restored, from which not a partial but a general good may be had.

JOHN CLARK,

T. SIMS,
E. PARK,
JOSEPH PHILLIPS,
LEWIS SEWALL,
JOHN D. CHISOLM,
JOHN THOMPSON,
N. KENNEY.

(317)

Articles of arrangement made within Chickasaw country between James Robertson and Silas Dinsmoor, Commissioners of the United States of the one part and the Mingo Chiefs and warriors of the Chickasaw Nation of Indians of the other part.

Article 1st. Whereas the Chickasaw Nation of Indians have for sometime been embarrassed by heavy debts due to their merchants and traders being destitute of funds to effect important improvements in their country, they have agreed and do hereby agree to cede to the United States and forever quit claim to the tract of country included within the following bounds—viz.—beginning on the left bank of the Ohio, at the point where the present Indian house duly adjoins the same, thence down the left bank of the Ohio to the Tennessee River, thence up the main channel of the Tennessee River to the mouth of Duck River, thence up the left bank of Duck river to the Columbian highway or road from Nashville To Natchez, thence along the Sd. Road to the ridge dividing the waters running into the Duck river, from those running into Buffaloe River; thence Eastward along the said ridge to the great ridge dividing the waters running into the main Tennessee River, from those running into the Buffaloe river—Thence in a direct line to the great Tennessee River near the Chickasaw old fields or Eastern point of the Chickasaw claim on the river. Thence Northwardly to the great ridge dividing the waters running into the Tennessee from those running into the Cumberland River so as to include all the waters running into the Elk River; thence along the top of the said

great ridge to the place of beginning. Reserving a tract of one mile square adjoining to and below the mouth of the Duck River, on the Tennessee River for the use of the Chief etc.

Secondly—The United States on their part, and in consideration of the above cession agree to make the following arrangements: viz., twenty thousand dollars for the use of the Nation at large and for the payment of the debts due their merchants & traders—and to George Colbert and Okay two thousand Dollars, that is to each one thousand dollars—This sum is granted to them at the request of the National council, for services rendered their Nation, and is to be subject to their individual order witnessed by the resident agent—also to Chenumbe Mingo, the King of the Nation, an annuity of one hundred dollars during his natural life, granted as a testimony of his personal worth & friendly disposition—All the above arrangements are to be made in specie.—

Thirdly—In order to preclude forever all disputes relative to the boundary mentioned in the first section, it is hereby stipulated the same shall be ascertained and marked by a Commissioner or Commissioners, on the part of the United States, accompanied by such persons as the Chickasaws may choose, so soon as the Chickasaws shall have a thirty days' notice of the time and place at which operation is to begin, and the United States will pay the person appointed on the part of the Chickasaws two dollars per day during his actual attendance on that service—

Fourthly—It is hereby agreed on the part of the United States that from & after the ratification of these articles, no settlements shall be made by any citizens or permitted by the Government of the United States, on that part of the present cession included between the present Indian boundary and the Tennessee and between the Ohio and line drawn due north from the mouth of the Buffaloe to the ridge dividing the waters of Cumberland from those of the Tennessee river for the term of three years.

Fifthly—The articles now stipulated will be considered as permanent additions to the treaties now in force between the contracting parties as soon as they shall have been notified by the President of the United States of America by & with the advice and consent of the Senate of the United States.

In witness of all & every thing herein determined the parties have hereunto interchangeably set their hand and seals in the

Chickasaw Country this the 29th day of July in the year of our Lord one thousand eight hundred and five, & of the independence of the United States of America the thirtieth—

Witness,	JAMES ROBERTSON,
T. A. Claiborne,	SILAS DINSMOOR,
John McKee,	CHENUMBEE X MINGO,
S. Mitchell,	GEORGE X COLBERT,
R. Chamberlin,	OKAY X or TISHUMUSTUBBEE,
Wm. P. Anderson,	CHOONUBBEE,
Malcom McGee,	MINGO MALLAKA,
C. Oxburry,	E. MATTAKA MEHO,
	WM. MCGILLIEVRY,
	LEVY COLBERT,

(318)

War Department, October 17, 1805.

Sir:—

Your letter of the 20th ult. has been received, enclosing Mr. Dinsmoor cetificate of the disposition of the eight hundred dollars advanced you. I have received also your letter of the 25th of the same month.

Your description of the lines of the tract of the land, ceded by the Chickasaws, is satisfactory; for which please to accept my particular thanks.

The horses and their equipage, mentioned by you, which were purchased on account of the treaties with the Choctaws and Chickasaws, you will be good enough to sell; and account to this department for the proceeds. Will you, Sir, be so obliging as to have them disposed of in such manner as will be most for the interest of the United States?

I hope soon to hear of a cession from the Cherokees, which will include the tract between East and West Tennessee with some other lands.

There will be no objection on the part of the Public to contribute to the education of the two Indian boys, mentioned in your letter of the 25th, provided the expense be reasonable. I

will therefore thank you to inform me on what terms it can be done.

I am very respectfully,
Sir, your ob. Serv't
H. DEARBORN.

Gen. Jas. Robertson.

(319)

Articles of a treaty agreed upon between the United States of America by their Commissioners Return J. Meigs and Daniel Smith appointed to hold conferences with the Cherokee Indians for the purpose of arranging certain interesting matters with the said Cherokees of the one part & the undersigned Chiefs & Headmen of the said Nation of the other part.

Article 1st.

All former treaties which provide for the maintenance of peace & preventing of crimes are on this occasion reconsidered & continued in force.

Article 2.

The Cherokees Quit claim & cede to the United States all of the land which they have heretofore claimed lying to the North of the following boundary line—Beginning at the mouth of Duck River running thence up the main stream of the same to the junction of the fork at the head of which Fort Nash stood, with the main South fork, thence a direct course to a point on the Tennessee River Bank opposite the mouth of Highwassee River—thence up the middle of the Tennessee River but leaving all the islands to the Cherokees to the mouth of the Clinch river—thence up the Clinch river to the former boundary line agreed upon with the said Cherokees reserving at the same time to the use of the Cherokees a small tract lying at & below the mouth of Clinch river, from the mouth extending thence down the Tennessee river from the mouth of Clinch to a notable rock on the North bank of the Tennessee in view from South West Point—thence a course at right angles with the river to the Cumberland road, thence eastward along the same to the bank of Clinch river, so as to secure the ferry landing to the Cherokees up to the first hill, and

down the same to the mouth thereof, together with two other sections of one square mile each, one of which is at the foot of Cumberland Mountain, at & near the place where the Turnpike gate now stands, the other on the north bank of the Tennessee River) where the Cherokee Talooliskee now lives; and whereas from the present cession made by the Cherokees and other circumstances the scite of the Garrisons at South West Point & Tellico are become not the most convenient and suitable places for the accommodation of the said Indians it may become necessary to remove the said garrisons and factory to some more suitable place, three other square miles are reserved for the disposal of the United States on the North Bank of the Tennessee opposite to & below the mouth of Highawassee.

Article 3rd.

In consideration of the above cession & relinquishment the United States agree to pay immediately three thousand dollars in valuable merchandise and eleven thousand dollars within ninety days after the ratification of this Treaty, & also an annuity of three thousand dollars the commencement of which is this day. But so much of the said eleven thousand dollars as the said Cherokees may agree to accept in useful articles of & Machinery for Agriculture & Manufactures shall be paid for in these articles at their option.

Article 4th.

The Citizens of the United States shall have the free & unmolested use & enjoyment of the two following described roads in addition to those which are at present established through their country; one to proceed from some convenient place near the head of the Stone's river & fall into the Georgia road at a suitable place towards the Southern frontiers of the Cherokees. The other to proceed from the neighborhood of Franklin on Big Harpeth and crossing the Tennessee at or near the Muscle Shoals to pursue the nearest and best way to the settlement on the Tombigbe. The roads shall be viewed & marked out by men appointed on each side for that purpose in order that they may be directed the nearest and best ways, & the time of doing the business the Cherokees shall be duly notified.

Article 5th.

This treaty shall take effect & be obligatory on the contracting parties as soon as it is ratified by the President of the United States by and with the advice and consent of the Senate of the same.

In testimony whereof the said commissioners the undersigned Chiefs and Headsmen of the Cherokees have hereto set their hands and seals.

Done at Tellico on the twenty fifth day of October one thousand eight hundred and five.

Signed, &c

320.

Knoxville 8 April 1805.

Dear Sir,—

Col. Meigs has lately informed me by the way of letter that the Cherokees have made known to him that they wish to meet the Commissioners sometime in April or May, on the subject that was proposed to them last fall. From every information that I can collect, I am induced to think they intend making a considerable cession. I shall write you in time when the meeting will take place, and also expect you will attend. I have no news worth mentioning, as I expect you have received all of moment from the members of Congress. Monroe our American Minister is at the Court of Madrid, in order to assist Pinkny in settling the boundaries of Louisiana, and also to (obtain as I have reason to believe) the two Floridas. In this last business I think he will be successful, particularly since a war have taken place between England and the owners of these provinces, for I am of opinion the present possessors will find them untenable and of course will rather barter them off than run the risk of losing them.—The Treaty is to be held at the Point at least about one mile below on the south side of the Tennessee.

You will please make known to the people of your neighborhood I am again a Candidate at the next election for Governor. I shall as soon as convenient write to all my friends on the occa-

sion—please forward the enclosed letter to your brother Charles Robertson Agent.

Your friend & Humble Servant,
JOHN SEVIER.

General Robertson.

321.

Southwest Point,
5th May, 1805.

Sir,—

I am this day favored with your letter of the 29th ult. by Major Tatum and thank you for the communication. I have also received by the same hand your letters addressed to James Vann and John Rogers. I have perused them and copied the one to Vann; sealed them and expect to forward them tomorrow and think they will have a good effect. Previously to the receipt of your letter I had heard of your appointment with Mr. Dinsmoor to hold treaties with the Choctaws and Chickasaws. It is pleasing to me, except that we shall be deprived of the pleasure of your company at our treaty with the Cherokees, which is proposed to be held at the mouth of Highwasee to begin on the 4th of June next, at which the Cherokees are anxious to have a deputation of the Chickasaws present, and I take this opportunity to request that you will make this known to the Chickasaw Chiefs as you pass through their nation. We have no authority to require their attendance; but I wish they may come forward. It will probably have a good effect on all the treaties.

The interest of the Cherokees and Chickasaws is so blended that it is proper there should be an amicable explanation of their claims and of their views.

The United States will do them all justice, and they must place a respectful confidence in the administration of the government.

It appears to me at present both from the verbal and written accounts that have come to my knowledge that it will be impossible to say decisively that either of these people have an exclusive right to the whole of the land in question.

From their verbal accounts and their contradictory statements

it is difficult to form a correct judgment of their rights—and from public documents they seem to stand on equally credible grounds.

It seems from their verbal statements that at sometime, which cannot now be ascertained, these people did mutually agree to call that land the middle hunting ground of the four nations. . . . this if not positively does indirectly seem to weaken their claims to the whole of the land as it applies to either of them individually considered. Why was this done, unless they were both conscious that neither of them had a clear or exclusive right to it?

I have reason to think that neither of these nations possessed that tract of country at any very distant period. The Chickasaws say they conquered it and actually possessed that part of it called the Chickasaw Old Fields. The Cherokees say they had a prior right, and re-conquered it by driving the Chickasaws from the Old Fields. The Chickasaws say this was true; but they recovered it again by treaty with the Cherokees. Yet both these people seem always to stand aloof from this land, they discover on both sides an indecisive conduct with respect to this land. The truth of the case is possibly this; that both the conquests and the recovery of it again, were but a half-way business, and that neither of them as before observed can derive their right from any very distant period; and this being the case the strongest arm will hold it finally. Unless the United States interpose their friendly influence—take them both by the hand and say: Children we will give each of you a valuable consideration for your relinquishment of it, by which you will receive an annual income, and harmony and good-will will be re-instated between you—otherwise it will be the cause of a never ending dispute between you and your children.

These are my impressions at the present. If you should acquire any further information I will thank you to communicate it; to do them both justice is the wish of my heart and we know this is the wish of their father the President of the United States.

I am respectfully,

RETURN MEIGS.

Gen'l Robertson.

322.

South West Point, May 27, 1805.

Sir,—

On account of an invitation to the Cherokees to send a large deputation to the Tuskabatches to a council of the four nations to be held there in June—Our meeting the Cherokees is postponed till the fifth day of July on the Hiwassee.

The Cherokees are very anxious to have a deputation from the Chickasaws to meet them there that they may have an explanation on the subject of their claims to the lands north of the Tennessee. If the Chickasaws come forward they will be received by the Commissioners with much cordiality and good will. We hope they will come for it seems to be very proper on account of the sessions expected in which they are each by their own accounts equally interested. We believe it will be for their interest and also of the United States to have a candidly and friendly conference on the subject.

We wish you success in your negotiation. Please present us respectfully to Mr. Dinsmoor and believe us to be with esteem and respect,

Your obedient servants,

DAN'L SMITH,

RETURN MEIGS.

Gen'l Robertson.

323.

War Department,

February 27th, 1806.

Gentlemen,—

I have to request that you will take some convenient opportunity when the business will be attended with small expense, to converse with Major Colbert on the following points: and after hearing what he has to say in relation to them, that you will decide thereon, and report me your opinion in writing, it being mutually agreed between Colbert and myself that you should be the referees.

1st. What sum, if any, Colbert ought to receive from the United States, in addition to the 432 dollars already paid him,

for the passage of the Tennessee Volunteers in the expedition to and from Natches in the years 1803--4.

2. What rate of passage he shall be entitled to receive in future at the passage places over Duck and Tennessee Rivers.

3. Whether the public buildings at the Ferry on Tennessee river when left by the Troops, will be a sufficient substitute for the house promised Colbert by General Wilkinson; if not what additional allowance, in money, should be made him.

I am very respectfully yours,

H. DEARBORN.

Gen'l James Robertson,
Col. Return Meigs,
Wm. Hill, Esq.,
U. S. Agents to the Chickasaws.

324.

Washington, April 8, 1806.

John Rhea, of Tennessee, to his Constituents.

It is stated that the revenue of the United States, for the year one thousand eight hundred and five, may safely be estimated at twelve millions of dollars.

That the receipts for the year one thousand eight hundred and six, arising from the permanent revenue, without including duties on postage and other small incidental branches, may be computed at twelve millions five hundred thousand dollars. Payments in the treasury during the same year, on account of the temporary duties constituting the Mediterranean Fund, are estimated at nine hundred thousand dollars, and about one hundred thousand dollars may be expected from the arrears of internal duties and direct tax, and from other incidental branches; making for temporary and incidental receipts one million of dollars. The balance of specie in the treasury on the thirty-first day of September last, amounted to four millions five hundred and seventy-five thousand dollars, and may be added to the receipts of that year, making an aggregate of eighteen millions and seventy-five thousand dollars.

The expenditures of the year one thousand eight hundred and six, which must be defrayed out of these resources, are,

The annual appropriation of eight millions of dollars for the payment of the interest and the principal of the public debt, of which more than four millions of dollars will be applicable to the discharge of the principal, and the residue to the payment of interest.

For the civil department, and all expenses of a civil nature, one million one hundred and fifty thousand dollars.

For expenses incident to the intercourse with foreign nations, including the permanent appropriation for Algiers, two hundred thousand dollars.

For the military and Indian departments, one million and thirty thousand dollars.

For the naval establishment, one million and seventy thousand dollars.

The extraordinary demands for the year one thousand eight hundred and six amount to four millions; that is to say, the navy deficiencies of one thousand eight hundred and four and five, six hundred thousand dollars; and the balance of the American claims assumed by the French convention, which remained unpaid on the thirtieth of September last, three millions four hundred thousand dollars; making altogether fifteen millions four hundred and fifty thousand dollars.

From the preceding statement it appears that the permanent revenue of the United States will, during the present year, exceed the permanent expenditures by a sum of more than one million dollars, and that the monies already on hand, together with the temporary resources of the year, will, after leaving the sum which it is always necessary to keep in the treasury, be sufficient to discharge the navy deficiencies, and the whole amount of the claims assumed by the convention with France, the large receipts of the last year rendering it unnecessary to recur for that object to the loan authorized by law.

It appears that during the four years commencing on the first day of April, one thousand eight hundred and one, and ending on the thirty-first day of March, one thousand eight hundred and five, fifty millions six hundred and sixty-seven thousand four hundred and sixty-seven dollars and four cents had been paid into the treasury of the United States, to which being added the sum of one million seven hundred and ninety-four thousand

and fifty-two dollars and fifty-nine cents, a balance in the treasury on the same first day of April, makes an aggregate of fifty-two millions four hundred and sixty-one thousand five hundred and nineteen dollars and sixty-three cents.

The expenditures during the same period have amounted to forty-nine millions six hundred and sixty-five thousand five hundred and seven dollars and fifty-six cents, to which being added the sum of two millions seven hundred and ninety-six thousand and twelve dollars and seven cents, makes the sum of fifty-two millions four hundred and sixty-one thousand five hundred and nineteen dollars and sixty-three cents, of which the sum of fourteen millions one hundred and five thousand three hundred and eighty dollars and four cents hath been sufficient to defray all the current expenses of the United States during the same period. And the sum of sixteen millions two hundred and twenty-eight thousand seven hundred dollars and ninety-five cents, was necessary to pay the interest of the public debt, of which sum three millions one hundred and sixty thousand dollars were paid for interest on the deferred stock, a charge which commenced only in the year one thousand eight hundred and one, and therefore was in addition to the annual sum wanted before that year for the payment of interest on the public debt. And the sum of sixteen millions three hundred and seventeen thousand six hundred and sixty-three dollars and ninety-two cents, hath been paid during that period on account of the principal of the public debt proper, and the sum of two millions nine hundred and sixty-three thousand seven hundred and eighty-two dollars and sixty-five cents hath been paid for debts contracted before the first day of April, one thousand eight hundred and one, and arising under the British treaty, and the French convention of September one thousand eight hundred, amounting to nineteen millions two hundred and eighty-one thousand four hundred and forty-six dollars and fifty-seven cents of the principal of the public debt paid in that period.

The amount of money received in the treasury, within the period mentioned, is large, but it is clearly made appear how it was expended; an account of the disposition is faithfully rendered by those to whom it was entrusted; the particular items of expense are detailed, and open to the most economical examination. More than thirty-five millions of dollars hath, within

that period, been paid for interest and principal of the public debt, all the current expenses of government paid, and a sum of money remaining in the treasury more than one million of dollars greater than that which was in it at the commencement of that period, and no money borrowed.

One million thirty-eight thousand two hundred and thirty dollars hath been received into the treasury, within the same period, from the sales of public lands, and there remained due, in the year one thousand eight hundred and five, for public lands sold, two millions ninety-four thousand three hundred and five dollars. One million nine hundred and twelve thousand six hundred and two acres of the public land were sold before the thirtieth of September one thousand eight hundred and five.

It is evident that a persevering application of the resources of revenue, afforded by means of peace and prosperity, to the discharge of the interest and principal of the public debt, is the only effectual mode by which the United States can obtain the full command of their revenue: every year produces a diminution of interest, and a positive increase of revenue. Four years more will be sufficient to discharge, (in addition to the annual reimbursements on the six per cent. and deferred stocks) the remainder of the Dutch debt, and the whole of the eight per cent. stock, navy six per cent five and a half per cent and four and a half per cent stocks. The portion of the public debt which shall then remain unpaid will consist of the six per cent deferred and Louisiana stocks, and of the three per cent stocks.

Total amount of the unredeemed public debt, on the thirty-first day of December, one thousand eight hundred and five, computed to be seventy-two millions seven hundred and forty-four thousand seven hundred dollars; consisting of the residue of the Dutch debt, one million four hundred thousand dollars; of eight per cent stock, six millions four hundred and twenty-nine thousand and five hundred dollars; of stock redeemable at the pleasure of the United States, two millions seven hundred and thirty-five thousand and two hundred dollars; six per cent stock eighty thousand; Louisiana stock eleven millions three hundred and fifty thousand dollars; unredeemed amount of the old six per cent and deferred stocks, thirty-one millions and eight hundred thousand dollars; and nominal amount of three per cent stock, nineteen millions and fifty thousand dollars.

From the commencement of the mint of the United States, to the thirty-first day of December, one thousand eight hundred and five, there have been struck one hundred and thirty-eight thousand eight hundred and twenty-four eagles, two hundred and thirty-nine thousand four hundred and eighty-nine half eagles; eleven thousand three hundred and fifteen quarter eagles; amount of silver coins one million nine hundred and fifty-three thousands nine hundred and seventeen dollars and seventy-five cents; amount of copper coins one hundred and seventy-nine thousand four hundred and fifty-three dollars forty-seven and one half cents; total, four millions seven hundred and forty-seven thousand three hundred and forty-three dollars and seventy-two and one half cents.

By the treaty of one thousand seven hundred and eighty-three, the United States of America acquired peace and confirmation of independence. They had incurred a large debt by the war. They were without apparent resources and commercial advantages, but were possessed of extensive fertile territory. On the return of peace agriculture revived, and an enterprising commerce began to operate and unfold itself. Persevering agricultural industry and commercial enterprise, in a period of little more than twenty years, have increased the wealth of the citizens and afforded resources to the nation.

After the fourth day of March, in the year one thousand eight hundred and one, the resources of the Nation, began to be systematically applied by more adequate appropriations to the extinguishment of the public debt. By the annual appropriation for that purpose, applied in the manner prescribed by law, the public debt hath rapidly decreased, and if peace can be preserved the United States, in a few years more, will be delivered from the burthen of that debt.

Agriculture and commerce mutually assist each other; agriculture supports commerce, commerce gives vigor to agriculture. Agricultural industry confined to the necessities of life only would be languid and feeble. Give a prospect for sale of the overplus, industry is favored; commerce affords that prospect.

The annual value of articles, the produce of the United States, exported to all parts of the world, calculated on the average value of the exports in the years ending on the thirtieth day

of September, one thousand eight hundred and two, and three, and four, is computed at thirty-nine millions nine hundred and twenty-eight thousand dollars; of which articles cotton is one, and the value thereof computed at six millions nine hundred and forty thousand dollars. The value of exports from the United States, for one year, prior to the first day of October, one thousand eight hundred and five, is estimated at ninety-five millions five hundred and sixty-six thousand and twenty-one dollars; consisting of articles of merchandise the produce of the United States, value, forty-two millions three hundred and eighty-seven thousand and two dollars; and of articles of foreign produce, fifty-three millions one hundred and seventy-nine thousand and nineteen dollars.

The extensive commerce of the United States, which employs near nine hundred thousand tons of shipping annually, may have afforded cause of disquiet to Great Britain during the continuance of the late William Pitt in office.

That agreeably to the continued policy of that power the new commercial regulations, hostile to the commerce of the United States of America, and other neutral nations, were adopted and enforced; to meet the same new regulations with opposing regulations, on behalf of the United States, to promote manufactures, and to assist negotiations for an amicable settlement of existing differences with Great Britain, the house of representatives of the congress of the United States passed a bill to suspend the importation of certain enumerated articles of merchandise from the dominions of Great Britain. The British ministry is changed, and reasons which heretofore ought to have operated may now operate to establish commercial relations, mutually beneficial to these United States and Great Britain, securing the duration of peace.

Reasons of the last importance may induce Spain to an amicable settlement of differences with the United States. Spain is the ally of France; France and Great Britain are not in a state of peace. It cannot be believed that either of these powers are willing to pursue measures conducive to war with the United States. Measures are adopted to promote an amicable arrangement of territorial limits, and other subjects of difference with Spain.

War is an evil to a nation. At any time, more particularly

at this time, it would be very injurious to the United States; agriculture would be injured; the settlement of rich uncultivated territory would be retarded; the resources of revenue, arising from commerce, would be suspended, if not annihilated; direct taxes would have to be resorted to; the public debt would be accumulated; the current of national prosperity would be stopped; in addition to all the foregoing, it cannot be proved that the United States have men to spare for the sword.

Honorable peace is everything to these United States; under its benign and heavenly influence population will increase, agriculture will flourish, commerce will be enlarged, the revenue of the United States annually will be augmented, the public debt will be discharged, and there will be an example of one nation having paid its debt agreeably to principles of moral rectitude. Let honorable peace continue twenty years more, the prosperity, happiness, and power of the United States of America will remain fixed on a basis not to be moved by the united efforts of nations.

With sincere esteem, your fellow citizen,

JOHN RHEA.

325.

War Department
May 15th 1806.

Gen'l James Robertson,
Nashville, Tenn.,

Sir,—

Your letter of 11th of December last, having been mislaid, has prevented an earlier answer.

Your bills as stated will be allowed for the two Chickasaw boys. You will please to transmit your bills of expense annually for settlement as all such accounts must pass through the accountant's office before payment can be made.

A very unfortunate circumstance has taken place in relation to the Chickasaw treaty. The appropriation bill for carrying that treaty into effect, and the convention made at this place with the Cherokees, had a section annexed to it, (providing against settlements on that part of the land lying south of the line of Tennessee) which was rejected by the senate, and

the bill was lost. This being on the last day of the session of the Congress, no appropriation was made for carrying these treaties into effect.

There is no doubt however, in my mind, but an appropriation will be made at the next session of Congress. In the meantime the Chickasaws and Cherokees will probably feel uneasy, especially should any settlements be made on the lands ceded by said treaties, which I presume will be the case. Should you see any of the Chiefs, I will thank you to explain the matter to them in such manner as to render them satisfied.

I am very respectfully

Sir, your Hum. Servt.

H. DEARBORN.

326.

Nashville May 15th 1806.

Col Meigs I was favored with yours of 2nd instant and can only remark that your observations in complying with the instructions from the war office are correct and very satisfactory to me but there is an occurrence which I doubt will much imperil the harmony expected to prevail in completing the treaty with the Chickasaws and the Cherokees. no doubt you have learned that the appropriation is not made, and as those treaties have been considered—Constitutionally ratified. people have thought themselves justified in taking possession of their land, which they have been kept out of upwards of twenty years, on account of the Indian claim, and I hear from the latest information will go on to settle, and should the Indians undertake to prevent settlement as security for their pay I dread the consequences. I would be very happy sir to have your opinion on this subject by the return of the mail. I have not seen Genl Smith but shall in a few days, as I want to consult him on the measures to be taken with the Chickasaws, for it will be very difficult to remove undue prejudices which may be made on their minds. if your business would admit, it is my opinion that it would have a very good effect if you could come on and go with me and see Colbert. if you should conclude on this I will write to

Colbert next mail as he is now in the Chickasaw nation. if this is not convenient to you and you can have confidence in my report of the buildings & ct at Colberts ferry I will go see him and indevor to bring him in to meet you at this place when you may think proper to name the time. I think by taking proper measures with the Chickasaws they may be reconsiled to wate for thare pay. and more especially as they ware opposed to Colberts clame and that being the reason that congress did not make appropriation and that there is but little doubt of its being dun next congress—I expect you will have a full shear of trobel with Cherokees on this head—will the secretary of war give the indians aney infemration on the subject of the appropriation or not—I am respectfully your Humbel servant.

p. s. letters from you and Genl Smith on the subject of the treaty may have a good efect as I know the Chickasaws have grate confidence in you Both. I suppose you have heard of the death of Mr. Hill agent of the Chickasaws, which I doubt not is true. (Unsigned.)

327.

War Department.

30th April 1806.

Sir,—

The Indians treaties & conventions, have, all except the one with the Choctaws, been ratified by the Senate, and the necessary appropriations have been made by Congress for carrying them into effect. except the convention made at this place with the Cherokees, the treaty with the Chickasaws, and Piankishaws. These three were in a separate bill from the others, and a clause being attached to it, for preventing settlers going on to a certain part of the South of the State of Tennessee, the Senate objected to the clause, and the whole bill was lost. There is no doubt but the appropriations will be made at the next session of Congress. And you will make such explanations to the Cherokees as the nature of the case may require, to satisfy their minds for the present.

I am very respectfully

Sir

your obt. servant,
HENRY DEARBORN.

Col. Return Meigs.

328.

Southwest Point,

1st June, 1806.

Sir,—

Your letter of the 15th of May did not reach me in time to answer you by the last week's mail. I have a letter from the Secretary of war on the subject of the ratification of the treaties, appropriations etc. I will extraordinary circumstances excepted, be at Nashville next week. I should have been with you by this time, but having been directed by the Secretary of war to pay the troops in this district for the future, Mr. Braham being ordered to go to the district of Georgia, he was directed to put his papers relating to that business into my hands. I have therefore been waiting several days for his return from Nashville—he is now arrived, and as before mentioned you may expect me soon to be with you. I shall have the company of Major Macrae to Nashville.

I think, sir, that you and General Smith and myself can quiet the minds of the Indians and prevent anything to disturbe the harmony between them and the citizens, if the last will be governed by the best advice the circumstances will admit of.

The Secretary of War says there is no doubt the appropriation will be made the next session of Congress.

I am sir

respectfully,

RETURN J. MEIGS.

General Robertson.

P. S.,

You mentioned in your letter that if I could confide in your report of the value of the buildings at Colbert's ferry that you would go down and see them and bring Major Colbert up to Nashville with you. You may rely on it Sir, that I can entirely rely on your opinion respecting those buildings or anything which is committed to us. I propose to start next Monday and it will take near five days to arrive at Nashville. If you receive this on Thursday evening or Friday morning you may perhaps go to Colbert's ferry and return by the time I arrive at Nashville. However I will leave it entirely to you.

R. J. MEIGS.

Gen. James Robertson.

329.

War Department
July 24th, 1806.

Gentlemen,—

Your letter of the 30th ultimo, with its enclosures, has been received. The report made therein will be adhered to.

I am very respectfully
your ob. Servt.
H. DEARBORN.

Genl James Robertson
&
Col. Return J. Meigs.

330.

War Department,
October 4th, 1806.

Sir,—

Your letter of the 13th ult enclosing a statement of the expenses for the two Chickasaw boys has been received. Your bill on this account will be paid on being presented to this Department: It is hoped, however, that hereafter the expenditures for their clothing will be less.

I am very respectfully, Sir,
your obt. Servt.,
H. DEARBORN.

Genl James Robertson.

331.

War Department
April 1st, 1807.

Sir,—

Mr. Thomas Freeman having been appointed to run the boundary lines conformably to the Chickasaws' treaty and the convention concluded at this place with the Cherokees, and also to survey the tract contained in the Chickasaw Treaty south of the State of Tennessee—I take the liberty of requesting you to accompany the surveyor, with two or three of the Chickasaw Chiefs, in running and marking the line, from where the Columbian highway (forward from Nashville to Natches), crosses Duck

River, along said road to the ridge which divides the waters running into Duck river from those running into Buffalo river; thence eastwardly along said Ridge to the great Ridge dividing the waters running into the main Tennessee river, near the main source of Buffalo river; thence in a direct line to the great Tennessee river near the Chickasaw Old Fields or Eastern point of the Chickasaw claim on that river. The last mentioned point should coincide with the convention with the Cherokees, which is a Bluff a little above the upper point of the Island, which island was considered as the upper point of the Chickasaw old fields. At this point Col. Meigs will be requested to join you, with two or three of the Cherokee Chiefs, and to proceed with you on the line from said point to the most easterly source of the waters of Duck river. This line will be considered as combining the eastern lines of the Chickasaw and Cherokee treaties; for, although the Chickasaw treaty appears to embrace the whole of the waters of Elk river, their claims to any land eastward of the line stipulated with the Cherokees, is too doubtful and vague to rely upon and even a large proportion of the land eastward of the road leading from Nashville to Natches appears, on as full an investigation of their claims as probably ever can take place, to be extremely doubtful at least, so much so that it has been found necessary to purchase the Cherokee title to the same land, as well as that of the Chickasaws, and we cannot with propriety extend the line any further East than will be conformable to the said convention with the Cherokees; of course one line will be sufficient for both. When the true course is found from the point above the Chickasaw old fields to the most eastern boundary of the waters of Duck River, it will only be necessary to run and mark the line from the Tennessee river until it shall intersect the line run last year, from the fork of Duck River to opposite the mouth of Hiawassee.

It will be necessary for you to notify Colonel Meigs of the time as near as possible, when you will arrive at the Chickasaw Old Field so that he may meet you there.

Mr. Freeman will engage chainmen and other necessary hands, and I will thank you to afford him any aid in your power in procuring the necessary means of subsistence and transportation of provision etc. He will be authorized to draw on this department for such sums as may be necessary.

Your compensation will be five dollars per day and your actual expenses from the time you set out until you return.

I have taken the liberty of directing Mr. Freeman to come to your house; and there, with your aid and advice, make the necessary preparations.

George Colbert should be one of the Chiefs to attend the running of the line; and Double Head should attend the last line as a Cherokee Chief.

It is desirable that the lines should be run correctly and in strict conformity to the fair intentions of all parties; and so marked as to leave no room for dispute hereafter.

I am very respectfully Sir,
your ob. Servt.

General

H. DEARBORN.

James Robertson.

332.

Sept. 23rd 1807.

Sir,—

I am not informed whether you are one of the two or three Messrs Robinson with whom I became acquainted at the Long Island treaty with Indians before this time thirty years ago—or you may be the same Robinson who very obligingly sent me locations for 9000 acres of land in 1783, the warrants for which were necessarily moved and laid on the Obion and other waters by Harris and Rutherford surveyors in the year 1785. I understand you are one of the Commissioners for Indian affairs I therefore beg the favor to communicate to me the prospects you may have of a treaty with the Chickasaws so as to extinguish their claims to these lands and any knowledge you may possess of the Obion lands and the water and face of the country as it respects the health and formation of society and in a word such observations as you may deem interesting to me on the subject I wrote you last winter or spring, but perhaps it miscarried. I have received no answer. please direct to Statesville Iredell county via Morgantown and it will come direct from Nashville.

Sir

Your obedient humble Servant

WM. SHARPE.

This goes by a Mr. McCreary to Sumner near Cairo.

333.

Wythe Co. House Va. Dec. 27th, 1807.

Sir,—

I received your letter on Friday last the day I arrived at this place. No doubt you have long waited for an answer from me it was my Intention to Inform you as Soon as I cold Respecting the Road buziness, my Settlement with Mr. Bradley, the enquiries made & I was pleased with my own settlement, but as to yours I cold not do any thing. he asked me if you had made anything by opening the road I stated that it cold not be possible you made money, and that you had lost, and gave out several teams, and all your hands taking sick with yourself made very much against you, and that people had informed me that the road was well cut, altho some sayd it was not, and that you had scarce done any work. I also stated your own words that people expected such a road as the government first proposed and published to be made, I have received a letter from Mr. Bradley since I returned which I ought to have had at Nashville it was dated September 13th 1807 the contents read thus (a copy)

General Post office.

Sir,

Your letter advising that General Robinson had informed you that he had compleated that part of the road which he contracted for and that you had drawn for the balance due him 1175 D has been received and the draft has been presented and I regret that it cold not be paid.

When we employed you we agreed to pay you by the day and of course you would be entitled the pay for the time you were employed whether the work was compleated so as to be usefull or not. if we had contracted with you to do certain work for a certain price, then we should have require some person to ascertain whether you had complied with your agreement. He says so—but he is interested and therefore not a proper judge. you are disinterested and ought to have gone yourself or if your employment wold not admit of that, to have employed some intelligent and disinterested person to say whether he had complied with his contract & to have sent on your or his certificate that it had been done. Because this was omitted your draft was refused. And we had additional reason for so doing

for a Gentleman of the first respectability in the Mississippi T. writes under date of July 7th as follows viz: I am informed from so many various and respectable authorities as not to admit the possibility of a doubt as to the facts. that the work done and doing on that part of the road included in the Contract adjoining this territory is by no means such as the government intended and as the sum allowed will warrant—in fact that the road is equally impassable as before on the same day it is cleared. & more dangerous because the causeways and bridges form impediments in the road and fords which endanger both the safety of man & horse to cross. I have therefore to request that you will engage Mr. Thos. Wright to go through that part of the road Contracted for by Genl Robertson and decide whether he has complied with his contract and that if he has not Genl Robertson must compleat what is deficient before any more money can be paid him. If Mr. Wright cannot go it will be essential that you shold yourself. I have written to Mr. Wright on the subject.

I am sir

your most obnt.

ABRAHAM BRADLEY, JR.

Now Sir if Mr. Wright has not done anything yet and will not do it please inform me and I will see immediately that the thing is done. I have wrote on to know if I must go. I wold be glad if I could have the doing of it and cold fix to your satisfaction I hope you will not think hard of me on the account of things working Contrary to your expectation, you will please let me hear from you by first mail, at this place.

I am your most obedient

GEORGE HALLER.

334.

Nashville Febry 15, 1807.

Sir,—

Will you pardon me for addressing you when perhaps I never saw or heard of you. I have intruded on the goodness of Mr. Abraham Bradley, assistant to the postmaster general, to back this letter and forward to you.

I had bid for the opening of the road from Duck River bridge to Tennessee ridge at eight dollars per mile sloping banks included, there will be little or no bridging or causewaying on that part. From Tennessee to Grindstone ford at eleven dollars per mile sloping all banks under fifty feet wide not bridged, including bridging at one dollar per foot, causewaying at one dollar and twenty-five cents per yard.

I have been well informed from the Natchez that my bids were considered full low & the same sentiment prevails here, from which circumstance I was induced to believe that I should certainly get the contract and made every preparation to commence the business immediately. I laid in pork and beef as early as the season would admit of which is dry and scarce fit for taking on the road. I have a sufficiency with some contracts on the road to complete the business. Last mail I received a letter from Dinsmoor informing me that my bids were not accepted some person having taken the whole route at less than eight dollars per mile neither his name or place of residence was mentioned. I had rented a considerable part of my farm intending to take nine or ten hands of my own. From these circumstances I would be fond to join you as a partner, or take part of the road. From this place to Tennessee I would take at six dollars per mile, or any one of the bids that you may choose, I know nothing could be made at eight dollars per mile from Tennessee to Big Black. From Big Black to Grindstone ford I will open at six dollars per mile. I apprehend the bridging and causewaying is not lower than my bid, if it is little can be made. I expect to cover the causewaying with earth that water will not move it. If you think proper to take me in as a partner please to let me know it as soon as possible, as I will set about the business instantly, for I conceive it ought to be done as soon as can be, before the commencement of the sickly season. I have a boat, wagon and ox cart which I intended sending down with hands and provisions to commence at the Grindstone ford. I intended also to commence at Duck River ridge with three teams and to superintend the business myself until the two parties should meet. I am well acquainted with opening roads and being acquainted with the Chickasaw and Choctaw Indians and with those white people residing among them I conceive that I can do the business on

better terms than any other person. But should you not choose to take me in as a partner, or let me have any part of the contract, I will let you have the above named supplies and assist you all in my power. I hope to have an answer as early as possible, my Hands being out of employ.

I am sir your obt. Servt.,

JAMES ROBERTSON.

335.

General Post Office

Sept. 13, 1807.

Sir,—

A draft made by Mr. George Haller in your favor for 1175 D. stated to be the balance of your contract given for opening and improving the Natchez road has been presented & I was under the necessity of refusing payment, because it appears by the accompanying letter that Mr. Haller had neither examined himself nor employed any disinterested person to certify that you had fulfilled your contract. This ought to have been done and a certificate forwarded to that effect.

I have also received a letter from a gentleman of the first responsibility in that territory from which the following observations are extracted viz.,

“I am informed from so many various and respectable authorities as not to admit the possibility of a doubt, as to the facts, that the work done and doing on that part of the road included in the contract adjoining this territory is by no means such as the government intended and as the sum allowed will warrant—in fact that the road is equally impassable as before on the same day it is cleared and more dangerous, because the causeways and bridges form impediments in the roads and fords which endanger both the safety of man and horse to cross.” I am told that that part of the work next to the State of Tennessee is faithfully executed.

I have therefore requested Mr. Thomas Wright (he was designated in the postmaster general's advertisement for that purpose) to proceed through the route and report whether your work is done conformable to contract. If Mr. Wright cannot

attend I have requested Mr. Haller to employ some other independent and judicious person for that purpose. If they are of opinion you have fully performed your engagement the draft will be paid but if otherwise nothing more can be paid until you have compleated what they state to be deficient.

I am Sir

your most obedient

ABRAHAM BRADLEY, JR.

Gen'l James Robertson.

EDITORIAL NOTES.

One of the most satisfactory efforts to perpetuate local tradition and put into durable form the recollections of the old inhabitants of a community, has resulted in a History of Hickman County by W. J. D. and David L. Spence, published by the Gospel Advocate Co., Nashville. So many county histories are mere money-making schemes, and are so filled with biographies and pictures of people who have paid liberally to get before the public, that the announcement of a county history is usually received without interest.

This book, however, is free from that criticism, and has so far been a labor of love that the authors will probably suffer a pecuniary loss by its publication.

The text is so arranged that the account of each civil district is completed in one chapter, while other chapters treat of facts in the general history of the county. The authors have given lists as full as can be made of the legislators and other county officials, officers and soldiers of Hickman since its organization. The prominent lawyers, preachers, physicians, and teachers are also mentioned. Many interesting stories are given of romantic or stirring incidents in the history of the Tennessee pioneer, with descriptions of his home, his dress, food, his amusements, and his mode of life. Wherever it was possible, the verbal statements made to the authors by old residents have been compared with the records of the county, and in this way much doubtful matter has been eliminated. The Messrs. Spence have made a valuable contribution to the history of Tennessee.

The Tennessee Historical Society has been fortunate the past winter in several ways; it has added a number of new names to its roll of members; it has received many donations to its already valuable collection of books and manuscripts; and several interesting and important papers on historical subjects have been read before the Society by gentlemen of ability and of

reputation for close historical investigation. One of the papers submitted was by Hon. Wm. H. Henderson, of Knoxville, on the "Life and Character of Alexander McGillivray," the celebrated and talented Creek chief; another was by Gen. G. P. Thruston, which was the abstract of an article on the history of Nashville he has been asked to prepare for an encyclopoedia; another was on the "Great Seal of Tennessee," by Dr. R. L. C. White, and indicated the careful research on the subject of the design, the adoption and the first use of the seal for which this gentleman is distinguished. At the March meeting Hon. John Allison read a paper on the "Bridge Burners of East Tennessee of 1861," based on a chapter in Judge Temple's recently published book "East Tennessee and the Civil War." The paper gave some curious bits of information relating to a plan by Union men of East Tennessee, backed by authority and financial aid from Washington, to impede the movements of the Confederates by the destruction in one night of all the railroad bridges between Chattanooga and Bristol, and for which a number of men were imprisoned or executed. At the April meeting Dr. E. E. Hoss will address the Society on the subject of the "Last Days of the State of Franklin," and Col. Henderson has in preparation a paper entitled "The Curious Story of Fort Loudoun."

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WILLIAM AUGUSTUS BOWLES.

BY SAMUEL WATSON.

This celebrated personage was born in Frederick county, Md., in 1763. At the age of thirteen he joined the British army at Philadelphia, and soon obtained a commission. He was afterwards dismissed from the service at Pensacola. He then entered the service of the Creek Indians, and married one of this tribe.

On May 9, 1871, when Pensacola surrendered to the Spaniards, Bowles commanded the Creek Indians, whom he had brought there to assist the English.

After the war he joined a company of players at New York; played at the Bahamas, where he also painted portraits. Gov. Dunmore appointed him trading agent for the Creeks. He established a house upon the Chattahoochee, but was driven thence by McGillivray. He was entrapped by the Spaniards in 1792, sent a prisoner to Madrid, and thence to Manila, in 1795. He escaped and returned to the Creeks, but was again betrayed into the hands of the Spaniards, and died in Moro Castle, December 23, 1805.

The following article I have translated from a French book, published in Paris, 1807, and being the description, by C. C. Robin, of his travels in Louisiana and Florida during the years 1802, 1803, 1804, 1805, 1806.

At the time the author wrote, Bowles—or to use his spelling, Bawles—was still living, or, if dead, the writer had no knowledge of the fact:

"An Englishman named Bawles, who, in England, had been Lieutenant of a company of Grenadiers, had gone to the Isle of Providence, an English colony. During a somewhat extended sojourn in this island he became acquainted with the considerable commerce in skins carried on in Western Florida by the privileged firm, one of whose houses, as I have said, is located at Providence. Bawles wished to inform himself upon the ground in regard to the extent of this commerce, and to participate in it. Whether this idea had been suggested to him in England by the agents of that government, or whether he really conceived it only while in Providence, the fact is that he left this island for Florida, with some articles of trade. He soon formed intimate relations with the savages, and became welcome among them. Bawles, tall and finely formed, joins to a martial air a face open and agreeable; with genius and a cultivated mind, he is enterprising and audacious; affable and supple, he is able to accommodate himself without difficulty to whatever conditions circumstances may exact; generous, magnificent, ostentatious when necessary, he can yet easily adapt himself to simple, austere, and savage manners.

"Bawles, in the beginning, trading with the Indians, soon became their friend and companion by conforming to their habits. speaking their language, presiding over their hunting parties, and participating in their festivals. Like them he went naked, with a simple *braquet* around the waist and *mitarres* on the feet, slept upon the ground, lived on corn cooked in water, and dried meat. In the midst of this kind of life, Bawles, who had been reared in the refinement of Europe, prepared among the Indian nations a general insurrection against the Spaniards. He exchanged the different commodities brought by him at prices much lower than those charged by the Pensacola firm, and promised to furnish them in the future in greater abundance; above all, he was lenient in the matter of credit, a bait always seductive to savages. Thus he alienated them more and more from the Spaniards. 'These greedy despots,' he unceasingly repeated to them, 'gather all the profits of your hunting labors, and leave you poor in order to reduce you to utter slavery. The magazines which they have established in your different villages are only rich because they get your skins at a low price, and overcharge you with impunity for what you need, since you can nowhere else procure

these things.' The savages, whom he thus inflamed, wished to proceed at once to the pillage of the magazines. But Bawles, too politic to tolerate such dangerous examples, took a middle course. He rated the commodities of these magazines at a price equal to the objects sold by him. By this appearance of justice he rendered the Pensacola firm unable to continue the payment of its subsidies to the government of Spain and its agents, broke all commercial relations between the savages and the Spaniards, fomented the hatred of the Indians against the latter, opened more and more to England the exclusive trade of these countries, and organized a general insurrection, which, combined with the war of England against France, facilitated to the English the conquest of all the Floridas.

"In these circumstances each tribe of savages eagerly sought the friendship of Bawles, and soon all of them emulously elected him their chief. Bawles, then, without departing from his frugal mode of life, displayed at their head the pomp of a great general, decked himself out with rich plumes, brilliant arms, which he also distributed to his warriors in accordance with the rank assigned to them, introduced among them elements of subordination, and constrained them to rules of discipline.

"Hostilities commenced. Bawles had now sufficient authority to repress in the savages that greed for blood and pillage, which, among them, characterizes their exploits; he prevented them from killing the enemies who begged quarter; released all those who were not soldiers, and acted towards all alike with great humanity, the wounded being carefully treated. This treatment was limited to sucking the wounds and washing them with fresh water, which was introduced into their sinuosities by means of tubes, then various simple remedies were applied. The physicians accompanied these operations with invocations, the tracing of mysterious figures and assumed an appearance of inspiration. It is certain that these suckings, fomentations and application of plants cured very promptly. I have seen, at Pensacola, persons whose wounds had been treated by them, perfectly cured, whilst others wounded at the same time and more grievously, were only cured a long time afterwards, although treated according to European methods.

"These hostilities spread consternation throughout all Florida, and the government was in great anxiety. The enemies made

incursions as far as Pensacola and carried off all that they found. How was it possible to march against them across those forests, when they dispersed so rapidly, only to appear suddenly in other places? How could troops be removed from the town where were assembled all the families, and all the munitions were stored? And, moreover, this had no defenses, and was open on every side. Doubtless, then, the governor of Louisiana must have recognized the deplorable effects of that jealous and narrow policy which kept Pensacola in humble subjection to New Orleans, and had not peopled the country with cultivators, who would have become defenders in time of need.

"The governor of Louisiana had recourse to a means much at variance with that loyalty, often romantic, which, during so many ages, had characterized the Spanish nation; an odious means, and which doubtless his court would have quickly disapproved. It was perfidy; he began a correspondence with Bawles, under a pretence of coming to a reconciliation. He caressed him, praised him, and finally brought him to an interview at New Orleans. The officer bearing the passports especially assured Bawles that his person would be inviolate, and gave him, as additional pledge, the governor's word of honor. Bawles, generous and confident, went to New Orleans. On his arrival he was loaded with irons. 'What!' he cried, in the governor's presence, 'the officers of a great king, so highly paid, honored with eminent dignities, thus make sport of the most sacred obligation! My trunks have been taken from me, my gold and papers stolen, and my hands loaded with irons. Ah!' he cried, shaking violently his chains, 'the faith of oaths violated in my person will find avengers.'

"I report literally these words, which leave no longer any doubt that Bawles was the agent of the English government.

"He was sent to Havana, the residence of the captain general, and thence was embarked for Spain. This was during the last war; the vessel was captured by the English and taken to their ports. Bawles, accompanied by some savages, excited at London the greatest interest. The duke of York went to see him, and it was supposed that the object of this visit was not alone idle curiosity. Some time afterwards, this chief of savages embarked for Jamaica. It is well to observe that it was upon a frigate, and

upon his arrival in this island Bawles displayed evidences of wealth, and was especially noted for his lavish generosity.

"A few months after, Bawles embarked for Florida with his savages, upon a copper lined corvette, abundantly provided with articles of trade.

"Many other small vessels were in succession sent to the same destination. Scarcely any of them, however, could reach these coasts, which are difficult of access on account of sand-banks, currents and adverse winds. Thus, Bawles, upon his return among the savages, was deprived of the means so necessary to execute the different plans of attack against the Spanish establishments, and to preserve and augment the confidence of the savages, who, always greedy and inconstant, are always ready to sacrifice the most important interest of the future to the lightest interests of the moment. It was in these circumstances that, without lead, and with powder only, he appeared with his savages before the fort of the Apalaches, situated fifty leagues to the east of Pensacola, upon a bay into which flow the waters of the two little rivers, Talasatchina and Touskache. He frightened the garrison by his display of numbers and threats of outrages, so that it forthwith surrendered. This event produced an alarm at Pensacola, and if Bawles had marched immediately upon that town, it would have been in his possession. It was poorly fortified, and could have been destroyed and its harbor abandoned to the first comer.

"The governor of Louisiana now tried to corrupt the savages by putting a price upon the head of Bawles. Dazzled by piles of silver which surpassed anything they had ever seen, they surprised their chief and delivered him to his enemies. He was sent immediately to Havana; it is not known what has become of him, but it is thought that he is still in prison there. At the peace it is more than probable that he will be reclaimed by his nation."

JOSEPH BROWN'S NARRATIVE.

One of the most romantic stories in the early history of Tennessee is that of Joseph Brown. His father, an officer in the Revolutionary war from North Carolina, with his wife, five sons, four daughters, and some others, started from Holston, in May, 1788, by water for the Cumberland settlements, intending to descend the Tennessee, and ascend the Ohio and Cumberland, as Donelson had done eight years before.

Near Nicojack the boat was attacked by Indians. Col. Brown, two sons, and three sons-in-law, were killed; another son received two wounds; Joseph and two sisters were carried into a captivity which lasted nearly a year, while the mother and another daughter were marched on foot two hundred miles, and were prisoners seventeen months. Of his residence among the Cherokees, at Nicojack, his release, and that of his mother and sisters, by Sevier, Jos. Brown has left a detailed account, which the reader will find in Ramsay, p. 509.

Six years later, and when only twenty-three years old, by serving as one of the guides for Maj. Ore's successful expedition against Nicojack, he fulfilled the prophecy of an old squaw, made at the time of his capture, that the boy, unless killed, would some day lead an army against the Cherokees.

In the interval between his release and this expedition he had another adventure equally dangerous, and equally in keeping with the history of the period, which he has described in a narrative addressed to the author of "History of Middle Tennessee," and which is among the papers of the Tennessee Historical Society.

The narrative has been both condensed and abbreviated here, but the spelling and phraseology have been preserved as far as practicable.

Pulaski, Giles Co.,

March 30 1858

Col. A. W. Putnam

Dear Sir: Yours of 2nd came to hand last night from Pleasant Grove. Pleasant Grove never was my post office, tho. I

lived handy to it for many years but Pulaski Giles Co is now my post office.

Relative to your inquiry Genl. A. Jackson was not on the Niojack campain; but if my memory serves me he at that time had something to do in the contractor's business, for his brother in law Mr Samuel Donnelson came to our camp a day or two before we started, and Wm Reed of Sumner County was there and neather of them had ever been beat in a foot race, and Donnelson observed that he was in bad fix to run for he had been gathering beeves the day before; but still he was willing to run to gratify the company; and did run and was beat five or six feet; but Sandy Donnelson did gow and was wounded at Niojack a younger brother. So I know that Jackson and the Donnelsons done all they could for the protection of the country, altho. I presume Doctor Ramsey had been rongly informed on that subject.*

As to relics of the war I now have none. I had an elegant sword but I gave it to one of my grandsons who is gone to Texas, or the Society should have it. If I live to the 2nd day of August next I shall be eighty-six years old, so I hope you will excuse my interlining &c.

Mrs Fogg has attempted to give a history of the mercy of God to so unprofitable a mortal as I have ever been to society. There is one part which has never been penned which is as strange as that which has been penned. I went to East Tennessee on business in the winter of 1793 and on my return got in company with Col. Robert Hayes a brother in law of Genl. Jackson. When we got to Knoxville, William Blount then Governor or Governor Sevier I do not know which was Governor of the Territory at that time, a Cherokee trader had informed him that a large body of Indians was about to waylay the trace coming to Nashville and we had better turn and come by Kaintucky.

We done so and the second night we got within three miles of the last house. I had a negro woman along and we concluded not to eat breakfast till we got there and then not to stop till night. But when we went to start the horse the negro rode was badly foundered

*Ramsey, p. 614, quoting "Willie Blount's papers" as authority, says Jackson was on this expedition as a private in Maj. Ore's command, and rendered valuable service.

I observed to Col. Hayes I would be glad if he would take charge of the negro as I had to stop with my horse and she had provisions enough to do her to Nashville. He said he would so cheerfully as my brother William had saved his life two years before at Emory's River. A large body of Indians had fired on them about day break as they were waking out of sleep and rushed on them. It was about $\frac{3}{4}$ of a mile to Emory's River and they ran to it; my brother was shot in the back of his right hand and the ball came out at his wrist; but he got off his clothes and tied them to a chunk with his handkerchief but they came off; at that instant Col Hayes was sinking just before him. He being a good swimmer gave his chunk to Hayes and by that means both lives were saved but my brother had lost three fine horses and all his money and clothing but his shirt. After Hayes gave the above information the company started and I stayed with my horse. I led him back to the Fort and stayed there one week till he got well and the post rider Thomas Ross and Col Friley came along, and as they lived in Kaintucky I concluded if they could go safe I could. Accordingly we started the next morning. But the 2nd day about 2 o'clock on the East side of Little Laurel river we were fired on by Indians. We dashed forward to the river. Ross' horse could outrun mine and he was about a rod ahead, and Friley was forty yards behind. Ross' horse fell and he went over head. Friley called to me he was wounded and for me to charge my horse down the bank or they would have us. I answered I was wounded also and turned my horse into the river. When he got half way up the bank he fell and I sprung off him and took off my overcoat to run and at that moment saw Ross' mare rising the bank. I caught her as she passed and sprung on her and came off on her. My own horse over took me and I soon struck Friley's trail; it was post oak land and the Indians had burned the leaves off the ground and his mare had thrown up the white clay so I could see his trail for 30 yards ahead. I could see blood on the bushes where he passed. In about 1-4 of a mile I overtook him in a little sunk place where he had stopped. He said he was so sick he would be obliged to get down. I observed to him "if you do you will never get up again for the Indians will be here in five minutes, besides your horse is shot and may not carry you twenty minutes." He agreed to go on. In less than

a mile we struck the road, but Friley was so deranged he wanted to take the wrong end of it. . . .

We got to the house of a Dutchman who was very kind, put my horse in his pen and dressed my wound—he found a piece of the socket bone of my shoulder in my shirt and put some whiskey and sugar on my wound and gave me a deer skin to lay down on which I occupied for two nights and a day with a high fever. The second night about midnight a company of three men and two women came thro. after us and stopped at Little Laurel to camp, and found poor Ross' body stripped naked and his head cut off. This alarmed them and they mounted their horses and came on. The next morning my fever had subsided and my horse had got up. I plead with those theaves as I learned afterwards that was their character in Georgia and were then running away to let me go with them. They said I could not go but I told them there was no could not with me. I must go where I could get medical aid and nourishment and that the road was as free for me as any other person. . . .

I got to the Crab Orchard and there was a doctor a brother in law of Ross . . . who treated me with a great deal of kindness and tenderness for six weeks before I felt able to start home and he would suffer me to eat no meat. . . . Col. Wm Whitley lived in about three miles and I went there every other day for buttermilk.

The next summer come a year Col Whitley came to Nashville with a large company of men to go with Maj. Ore of East Tennessee and the volunteers around to go from Nashville to take the town of Niojack where I had been a prisoner by the Cherokees six years before. Of course I went along altho the wound was still running in both sides and pieces of bone kept coming out for two years and at that time there was a hole clean thro. my shoulder. On that campaign a nephew of Col. Whitley gave me information of the judgment of Heaven on the very Indians that wounded me. . . .

I am now done with this narrative and as Mrs Fogg has favored me with one of her books if she will have the foregoing published in the history of Jo Brown as a second edition I will take a dozen or two of them if I am alive.

If the above cannot be published in a 2nd edition or by the Editor of the Banner of Peace or the Methodist Editor you will please return it to me by mail & oblige

Yours

JOS. BROWN.

SOME OLD PAPERS.

The two contracts which follow, the originals of which are in the collection of the Tennessee Historical Society, are interesting on account of their age, and as indicative of values in Tennessee at the time the contracts were drawn.

That between Mayfield and Campbell is in the clerkly handwriting of Andrew Ewing, with strokes and lines so delicate that a magnifying glass was used in copying the paper. Mayfield is stated by Putnam (p. 473) to have been an early settler of Middle Tennessee, who had been in many encounters with Indians; he was killed July 6, 1794, in his own field, and his body shockingly mutilated. His land was probably near Brentwood.

Of the parties to the first contract, Russell Bean was the first white person born in what is now Tennessee. His father founded Bean's Station, and was a commissioner of the Watauga settlement. Russell Bean was the most perfect specimen of manhood, and without an equal on the frontier for strength, activity, endurance, and courage. He was a mechanical genius, a gunsmith by trade, and made wonderfully perfect weapons with few tools. He made an overland journey to Connecticut, bringing back a supply of tools with which he established at Jonesborough a factory. He had built a flat-bottomed boat, in which alone he carried a cargo of rifles, pistols, dirks, etc., of his own manufacture, down the Nolachucky, the Tennessee, the Ohio, and the Mississippi, to New Orleans, where he remained two years, an active participant in the sports of that great city.

He was the same Russell Bean who defied arrest by the officers of a court, but yielded to Judge Andrew Jackson, who left the bench to make the arrest, with the remark, "I'll surrender to you, Mr. Devil." (See "Dropped Stitches in Tennessee History," p. 119.)

James King, at the time of this contract, owned and operated an old-fashioned pig iron charcoal furnace near where Beaver Creek enters Holston River. His son, Rev. James King, owned "King's Meadows," the site of Bristol, Tenn., and established

and endowed King's College there. He has many descendants in Tennessee, among whom are Mrs. J. R. Anderson, of Bristol, and Judge William King McAlister, of the Supreme bench.

State of Tennessee,
Sullivan County.

Memorandum of an agreement made and concluded upon the nineteenth day of June, anno domini, one thousand seven hundred and ninety eight Between James King on the one part and Russell Bean on the other part: Viz: Whereas it is contemplated by the said parties to make an adventure of Iron and Castings to the Natchez at the joint risk and expense of said parties, the said James King agrees to furnish the said Bean with Bar Iron and Castings for the aforesaid purpose and to pay an equal proportion of the expense attendant on the transportation of the said articles to the aforesaid place. And the said Bean on his part agrees to take charge of the same in their transportation to the said place and to make sale of the same for which when sold he agrees to pay the said James King as follows, to-wit: for the Bar Iron at the rate of Fifty Pounds Virginia currency per gross ton and for the castings four pence Virginia currency per pound with an addition of one shilling like money on each piece of ware weighing less than twenty two pounds and one half; usually denominated hand ware and after paying for the said articles as above mentioned to divide equally with the said James King the profits arising from the sale of said Bar Iron and Castings.

In witness of which agreement the said parties have hereunto set their hands at the Beaver Creek Iron Works the day and year first above written.

JAMES KING.
RUSSELL BEAN.

In presence of
Jos. Bunch (?)

Mero District,
Davidson County.

This memorandum of an agreement made and concluded between Isaac Mayfield of the one part and John Campbell Sr of the other part Witnesseth that in consideration that the said John Campbell Sr shall within three weeks from the present

date remove himself and family, to, and settle on the plantation with the said Isaac Mayfield whereon he lately lived thereby the better to enable the said Mayfield to remain at home by their mutual defence against the common Enemy. That the said Mayfield will assist said Campbell with all the force or help he can raise within himself towards erecting and finishing a good sufficient block house for said Campbell and his family to reside in for the term of two years or such longer time as they may afterwards agree on. That he will find said Campbell for the first year commencing the first of March ensuing nine acres of cleared lands inclosed and called the new field, free and clear of any rent or demand for the same, and that he shall have the whole of said field being ten acres for the second year either rent free or for six bushels per acre according as it shall be adjudged by good men living on the frontier in favour of either party by reason of the exigency of affairs in this country at that time. That if the said Campbell shall within the said two years clear and inclose in a good sufficient fence any quantity of land not exceeding five acres he shall have the use of the same four years rent free, and that if said Campbell shall die or remove himself from said Mayfields, after having cleared and inclosed the same that then he the said Mayfield will pay to said Campbell or his heirs Ten bushels per acre so cleared for each year that may then be remaining to him.

That said Campbell and Mayfield by mutually assisting each other shall inclose about one acre and a half about said Mayfield's houses which shall serve them in common for pasture for their horses, calves, sheep, &c. That said Campbell shall freely have and enjoy the benefit of water, and wood for firing; that he shall have one quarter of an acre of land from said Mayfield for the purpose of making a garden near the house, he giving said Mayfield as much in lieu thereof out of the aforesaid field. That said Campbell shall have the use and benefit of one of the stables already built for the purpose of keeping his horses therein. In witness whereof we have each of us hereunto set our hands and seals this 29th day of October 1792.

ISAAC MAYFIELD [Seal]
JOHN CAMPBELL [Seal]

Teste

Andrew Ewing
Saml Barton

ROUTE FROM KNOXVILLE TO NASHVILLE.

A paper owned by the Historical Society, and bearing no date, gives the following list of stopping places on the road from Knoxville to Nashville, and the intermediate distances.

The route is easily recognized; the Crab Orchard is a conspicuous land mark, formerly in Bledsoe, now in Cumberland county, and offered a gap for the passage of travelers across the mountains. When the writer saw it a few years since parts of the Crab Orchard mountain still showed an almost primeval forest. Daddy's Creek flows near its base.

The traveler thence bore north through the present Putnam or Overton, Jackson and Smith counties, to Sumner. Winchester's Mill was near the present Castalian Springs, in the last county. Kasper's Creek was, of course (Kasper) Mansker's Creek, now the dividing line between Davidson and Sumner; and the meeting house six miles from Nashville was unquestionably Parson Craighead's little Presbyterian church, which he established there soon after coming to Tennessee, in 1785, and which was also, for some years, the seat of Davidson Academy:

To Clinch River Glasgows ferry	15
to Poplar Creek	12
to Emory's River	10
to the Blue Spring	6
to foot of Cumberland Mountain	5
to the Crab Orchard	7
to Daddies' Creek	2
to Obie's River	9
to the flat rock branch	12
to the N. W. foot of the mountain	8
to roaring river	10
to the head of flin's creek	16
to Williams ferry on Cumberland	8
to Dixon's Spring	18
to Winchesters Mill	16
to Sumner Court House	11
to Kasper's creek	10
to the meeting house	6
to Nashville	6

ANDREW GREER'S AFFIDAVIT.

Another paper of great interest is the affidavit of Andrew Greer, an eye-witness to that celebrated and bloodless encounter between Andrew Jackson, then holding the Supreme Court at Knoxville, and John Sevier, Governor of the State. Much has been written of this incident, and it has always been difficult to understand how two men of such indisputable courage could meet, armed, use toward each other such insulting language, and part without bloodshed.

This is particularly the case in view of the fact that a passionate altercation between them had taken place on the streets of Knoxville a few days before, and Jackson had challenged Sevier (Parton, I., 234). It is almost unnecessary to say Parton's account of the incident differs radically from Greer's affidavit.

Andrew Greer was a man of some prominence, and had, in various ways, long been associated with Sevier; he was a member of the first court of Washington District, in February, 1778, and took the oath of his office with John Sevier, John Shelby, James Robertson, and others. He lived in that part of Washington which became Carter county, and is thought to have built the first water mill in that section. He, John Sevier, Wm. Cobb, and Thos. Houghton, were made commissioners of Washington county at the November term, 1780, "to be judges of the different kinds of paper emissions in circulation in this county, or may be hereafter, in order to prevent frauds and impositions that might be committed on said county and for the purpose of detecting and suppressing coins of this kind, who shall be judges and viewers of all such monies" (Dropped Stitches, pp. 23, 46).

State of Tennessee,

Knox County.

Personally appeared Andrew Greer of Carter County before me Josiah Nichol a Justice of the Peace for the county aforesaid and made oath: that on Saturday the 15th of this instant he started from Knoxville in company with his Excellency John Sevier and his son for to go to South West Point, that they reached the house of John Wood that night and the next morning started for the Point; that in the Hollow that leads down to Kingston as he this deponent and John Hunter was riding before the Governor and his son that they met Judge Jackson and Doctor Vandyke riding up the road armed with pistols;

that on meeting them Judge Jackson stopped and this deponent and him conversed together and that the Doctor rode on; that while the Judge and him were talking together he observed the Judge to suddenly cast his umbrella from him on the ground and draw one of his pistols, dismount and draw the other, and advanced up the road; that on this deponent's turning himself about he discovered the Governor off his horse with his pistols in his hands advancing down the road and that the Governor and Judge advanced in this manner until they came as this deponent thought within twenty steps of each other and stopt; that he this deponent being at the distance of twenty yards behind Jackson could not hear all the words that passed between Distinctly but enough of it to convince him that it was abusive and that he heard the Governor damn him to fire away—that after some parley in this way each of their pistols were returned to their holsters again and by this time they had come near to this deponent and Judge Jackson swore that he would cane him (the Governor), and as Jackson advanced toward him the Governor drew his sword which frightened his horse and he ran away with the Governor's Pistols, and Judge Jackson immediately drew his pistol and advanced again, on which the Governor went behind a tree and damned Jackson, did he want to fire on a naked man, on which the Governor's son drew his pistol and advanced towards his father, Judge Jackson being then between him and his father and immediately Dr. Vandyke drew his pistol and advanced after the Governor's son—after some parley again in this manner the pistols was again returned to their holsters and they all mounted (the Governor's horse having been brought back) and rode down the road—that as they rode along this deponent riding nearly between them Judge Jackson damned the Governor for a coward to turn out up the Hill and for them to take it out on horseback and that the Governor returned him for answer that he (Jackson) knew that he would not fight him in the State was the reason that he had made it a point to send him so many challenges.

ANDW GREER.

Sworn to and subscribed
before me this 23rd day
of October 1803
J. Nichol

A DISTILLER'S LICENSE.

Whereas Robert Cartwright of the third division of the only survey, in the district of Tennessee possessor of a still numbered — of the capacity of — gallons, at this time erected in the county of Davidson in the third division of Tennessee and owned by the said Robert Cartwright of — in the county of Davidson — hath duly notified his election to pay the revenue, which may or shall accrue to the United States, in consequence of the working or employment of said still, upon every gallon of the capacity during one month in which he intends to work or employ the same, to commence on the 28th day of August 1797 and to end on the twentieth day of September 1797 for which term of time he has desired a license Now know ye, that I John Overton Supervisor of the District aforesaid do hereby license and permit the said Robert Cartwright to work and employ the said still, in distilling from materials of the growth or produce of the United States for the said term of one month as above defined at the rate of ten cents per gallon for what his said still may contain.

JOHN OVERTON,
Supervisor of the Revenue for the District of Tennessee.

JULIUS SANDERS' BOND.

Know all men by these Presents that We, Julius Sanders, Russell Gower, & Thos. Fletcher —
Of ye County of Davidson in ye State of North Carolina are held and firmly bound unto his Excellency Alexander Martin Esq. Governor &c In and Over the said State In the Sum of One Hundred Pounds Current Money of ye Sd: State, To be paid to his Excellency aforesd. his Successors in Office or there Assigns To ye True Performance Of which Payment Well & Truly to be made and done: We bind Ourselves and every of us. Our And every of our heirs &c Jointly and Severally Firmly by these Presents. Witness Our hands & Seals this 6th day of July 1784. And in the Ninth year of the American Independence.

The CONDITION of this Obligation is Such that Whereas the Above bound Julius Sanders—hath Obtained Licence to

keep an Ordinary at Nashville — in the County of Davidson — If Therefore ye sd. Julius Sanders — do constantly keep, find and provide in his said Ordinary: Good Wholesome Diet for Travellers: and Stabling, Fodder, Hay, Corn, Oats, or Pasturage as the Season shall require for their horses: for and during ye Term of One Year: or to the Court of ye County next Succeeding between ye first day of March and the Tenth day of June from the date of these presents — And shall not permit any unlawfull gameing in his House. Nor on the Sabbath day Suffer any Person to Tipple or drink any more than is Necessary — Then this Obligation To be Void. Else to Remain in full force & Virtue in Law.

Test.—

his

JULIUS SANDERS [LS]

mark

RUSSELL GOWER [LS]

THOMAS FLETCHER [LS]

A FERRY CONTRACT.

Know all men by these presents that by virtue of Power and Authority to me given by the Trustees of the Academy of Davidson County I have leased unto John Boid of the Town of Nashville the Academy Ferry and Ferry Boat for the space of one year to commence either from the first of next February or the sixteenth day of this instant as he the sd. John Boid may determine upon in the course of the present year. For the consideration of his paying at the expiration of the Lease thirty pounds in Cash or in good inspected Leaf tobacco well prised and delivered in Hhds. at Nashville at the price current at the time of delivery; and for and in consideration of his giving bond and security to keep constant attendance at said ferry during the term of his lease and to deliver the Academy boat at the Academy ferry landing in as good order as he now receives her— if she should be in better condition when returned than when delivered He the said Boid is to be allowed the difference which is to be deducted from the rent.

And will warrant and defend to said Boid the sd. Ferry Landing and Ferry Boat to him and his heirs during the above term

against all Persons who may unlawfully claim them or either of them. Given under my hand at Nashville 17 March 1789

LARDNER CLARK [SEAL]

Teste

JAMES MAXWELL.

TEXT BOOKS.

The following list shows the text books in use in Davidson Academy in 1795:

Invoice Sundry Books belonging to the Academy of Davidson county left in the care of Bennett Searcy Esq by Lardner Clark subject to the order of the Trustees of said academy viz:

- 1 Vol. Ferguson's Astronomy
- 3 Lexicons
- 2 Virgil Delphini
- 2 Vols Davidson's Virgil
- 1 Vol. Hutton's Logarithms
- 1 Vol Simson's Euclid
- 1 Vol Xenophon
- 1 Vol Harvey 2" Vol
- 2 Ciceros
- 1 Terence
- 2 Ovids
- 3 Nepos's
- 3 Sallusts
- 3 Lucious
- 7 Maire's Introduction
- 5 Greech Grammars
- 1 Dillworth's Assistant
- 2 Erasmus
- 1 Esop
- 3 — (Illegible.)
- 48 Volumes

Recd. April 11th 1795 the above forty eight volumes of Lardner Clark. B. SEARCY.

AN ATTEMPT AT EXPANSION.

We publish some extracts from and notes on

"A journal of the proceedings of the commissioners appointed to hold treaties on the part of the United States, with the Chickasaw and Choctaw nations of Indians.

McClishes in the Chickasaw nation, six miles eastwardly from the old agency—this being the place appointed by the Chickasaw agent to hold the Chickasaw treaty.

"Sunday evening October 15th 1826.

Gen. Tho. Hinds and Genl Jno. Coffee arrived at this place where they met the Chickasaw agent Maj. Ben F. Smith and the contractor William Easton Esq. who had arrived before them. Genl. Hinds and Genl. Coffee the commissioners appointed William S. Fulton Secretary to the commissioners—who had been nominated and came on from Florence in Alabama for the purpose.

The agent informed the commissioners that he had very lately been advised that the chiefs of the nation had changed the place of meeting from the one they then occupied, to the National council House, distant about 12 miles, but that the agent was unwilling to remove, as the chiefs had first agreed to meet at McClishes, and in consequence of this agreement the place had been appointed for the purpose where the contractor had concentrated all the provisions for the commissioners and the rations for the Indians.

Monday morning 16th October.

The agent left the commissioners and went to the Council House to meet the Chiefs, and to endeavor to remove them to the place first appointed. In the evening he met a messenger to the commissioners informing them that the chiefs had not yet arrived at the Council House.

Tuesday morning, 17th October.

The old Chickasaw Chief Capt. Seely came to see the commissioners; they requested him to ride in company with their Secretary Wm. S. Fulton to the Council House, and see the agent and the chiefs, and to determine on the place for holding the Treaty. When they returned in the evening, they informed the commissioners that it had been determined that the Treaty would be held at the Council House.

Wednesday morning, 18th October.

This morning the commissioners paid their bill at McClishes, amounting to \$45, and ordered the contractor to remove their supplies and rations for the Indians to the Council House distant by the wagon way 15 miles. The commissioners remove themselves to Levi Kemp's one and a half miles from the Council House and lay all night.

Thursday morning 19th October.

The Commissioners pay their bill at Kemps, amount \$15.50 cts. and go to the Council House, the place finally fixed for the negotiations with the Chickasaws. But few of the Indians had come in. The chiefs present inform the commissioners that their people will be on the ground in a few days

Friday morning 20th October.

The Indians come slowly in — supplies arrive, and rations issued to the Indians with back rations. The commissioners are engaged in making preparations for business.

Saturday morning 21st October.

Most of the chiefs have arrived. A prospect of commencing business in a day or two.

Sunday morning 22nd October.

The chiefs Tishamingo Pi-si-as-amsh-stub-ie, Capt. McGilvery, Capt. Seely and Levi Colbert and the King all present. All the secondary chiefs also present.

Pi-si-ah-amsh-stub-ie in very bad health, confined to his camp.

In the evening the chiefs informed the commissioners that in the morning the chief's headmen and warriors of the Chicasaw nation would convene in council and would when convened receive the first talk of their brothers the commissioners.

Monday morning 23d October.

At eleven o'clock the nation met in council. Present the King, Levi Colbert, Martin Colbert, J. McClish, Em mutlin and Ish-la-ma-tut-ka, Commissioners Tishomingo, Capt. McGilvery, Capt. Seely—absent Pishuanchstubie—the chiefs of the different districts also the head men and warriors of the Chicasaw nation.

The council then informed the commissioners that they were prepared to receive their talk. The commissioners accompanied by their secretary then went into the council, where they delivered the following talk, which was interpreted to the council by

Malcolm McGee, the interpreter appointed by the commissioners:

To the principal head men, chiefs and warriors of the Chickasaw nation.

Friends and Brothers. We have met you here in council, by order of our great Father, the President of the United States. Like a kind and good parent he is ever mindful of the best interests and true happiness of all his children. He has the same feeling of friendship for his red children that he has for his white children, and is always desirous of promoting alike the interest and the happiness of both.

By his long experience and sound judgment he knows what is best for all of us. When therefore he offers his advice and counsel he expects all his children to receive them, as coming from their father, their friend, and protector. He wishes all his children to prosper, increase, and be happy to the end of Time. In the same friendly spirit he expects them to consider well and in good faith to receive the talk he has sent them by their brothers the commissioners.

We will now proceed to state to you the talk of our Great Father the President. After you have taken time to reflect upon his proposals, as explained to you by his commissioners, you will give a candid and respectful answer to them. This he expects as due from affectionate and dutiful children to a kind and indulgent father.

You have been apprised of the object of holding this treaty. It is the policy and the interest of the Government to extinguish the Indian title to all lands on this side of the Mississippi. We must have a dense and strong population from the mouth to the head of this father of rivers. The security of our southern frontier requires this, and until it be accomplished the government cannot successfully defend the country, nor protect its citizens. All the southern tribes of Indians must be prepared to witness sooner or later this state of things. They are in progress and have been for many years, and it is useless for them to expect it will be otherwise. If, however, they should be opposed to this policy of our government, and prolong the time of its consummation by throwing obstacles in the way, they must be prepared to expect the speedy adoption of the only alternative which is left to the government to protect its citizens.

If the different tribes are permitted to hold these lands on this side the Mississippi, the laws of the United States must be extended to the Indian country and the Indians as well as the whites among them subjected to their operation. Which of these alternatives will our red brothers, the Chickasaws choose? Would it not be wise in them to embrace the present opportunity of placing themselves in a situation more advantageous and desirable than that which they at present occupy?

Your Father the President proposes to give his Chickasaw children a fine tract of country on the other side of the Mississippi river, of equal extent in exchange for their present lands. We know you are attached to the country of your birth, and the land in which the bones of your fathers are buried. But if the United States offer you one of equal or greater advantages, and are willing to pay you liberally for your improvements, would not the nation best consult its real interest by making the exchange? By removing to that country you will be freed from the intrusions and the interruptions of your white brethren. You will then be enabled to live in peace and quietness, nor will you ever be asked for any portion of the lands which will be given to you. The Government will guarantee to you and your children forever the possession of your country; and will protect and defend you against all your enemies. Your Father the President will also in addition to what has already been promised defray all expenses of removing you to the country on the west side of the Mississippi, and furnish you with all things necessary for your comfort and convenience, should you think it to your interest to accept his liberal offer.

We, your brothers, know that many of the Indian tribes have often resolved to sell no more of their lands, but have you not as often noticed that those very tribes have been compelled to relinquish that determination from the force of surrounding circumstances? They have been obliged from the rapidly increasing number of their white brethren to yield to the pressing solicitations of their father the President, who was constrained to ask them for more of their lands. In this way their limits have been greatly reduced and their nation almost annihilated. These things are well known to the most of you, and this will at some future period be your own situation unless you should avoid it by accepting the offer which is now made for you by our Father

the President. The lands which are promised you are rich, well watered, and abounding with game of all descriptions. If you think it will ever be your interest to exchange your country for lands on the other side of the Mississippi you ought not to let the present opportunity slip. By acceding to the wishes of the U. States at this time you will be able to make a better selection than at any future period. When once our red Brethren shall all be united together on the other side of the Mississippi, it will be more fully in the power of our Government to administer to their wants and necessities, and to protect and defend them against their enemies.

We the commissioners of our common parent the President, are particularly anxious that you his Chickasaw children shall seriously reflect upon this subject and give to it that attention which its importance so much merits. Until then we shall forbear entering into particulars; resting satisfied in again assuring you that the Government of the United States is most liberally disposed toward you, and will pledge to you its faith most rigidly to adhere to all the engagements which it may make with you.

(Signed)

THO. HINDS,

JNO. COFFEE.

A copy of this talk was handed to the headmen of the council who requested until the next day to return their answer. The council adjourned.

Tuesday 24th October 1826.

At eleven o'clock the council again met. The commissioners being notified attended accordingly, when Mr. Martin Colbert, on behalf of the Chickasaw nation, read the following answer to the talk of the commissioners:

To our beloved brothers and commissioners of the United States:

We have received the talk of our father the President by the hands of our brothers the commissioners, on the part of the United States. We find it is the wish of our father to exchange land with us lying on the west side of the Mississippi, which we are very sorry to hear, as we have never had a thought of exchanging our land for any other, as we think we would not find a country that would suit us as well as this that we now occupy, it being the land of our forefathers, if you should ex-

change our lands for any other, fearing the consequences may be similar to transplanting an old tree, which would wither and die away, and we are fearful we would come to the same. We want you our brethren to take our talk. We have no land to exchange for any other. We wish our father to extend his protection to us here, as he proposes to do on the west of the Mississippi as we apprehend we would in a few years experience the same difficulties in any other section of country that might be suitable to us west of the Mississippi.

Friends and brothers, we know that our white brothers are crowding on us daily, which we know is not just. We further consider that there is a number of nations west of the Mississippi River that have been enemies to us as well as to our white brothers. It would be as much impossible to unite us with them as it would to unite oil and water, and we have every reason to believe that those tribes that have left their country are not well satisfied, and if that should be the case, we are fearful those tribes will take satisfaction of us, for past injuries done by us as well as our white brothers. We are a small tribe and not able to defend our rights in any country.

Our father the President we know his sound judgment is calculated to choose for us his ignorant children likely to choose the worst of two evils.

Our father the President wishes that we should come under the laws of the United States. We are a people that are not enlightened, and we cannot consent to be under your Government. If we should consent we should be likened unto young corn a-growing and met with a drought that would kill it all. We hope our brothers the commissioners will take our situation under serious consideration. They know we are not qualified to become citizens of the United States, as we are ignorant of the purpose of law.

(Signed)

LEVI COLBERT,
EM-MUBBY,
ISH-TA-MA-TUT-KA,
J. McLISH,
M. COLBERT.

The answer was handed to the commissioners, and the council was addressed by Genl. Hinds, who proposed to give them

another talk on the next day. He expressed the disappointment felt by the commissioners at the manner in which the talk of the President had been received by his red brothers. They had not returned such an answer as their father the President had a right to expect from his Chickasaw children. They informed the council that all communications which are made will be given in writing and copies forwarded to their father the President for his consideration. It was agreed on the part of the nation to submit their communications in writing. The council then adjourned.

Wednesday 25th Oct.

The council met agreeably to adjournment and the commissioners being notified that the council was ready to receive their communication they went into council, when the following talk was delivered to them by the commissioners and interpreted to the council by Malcolm McGee.

Friends and Brothers,

The commissioners of our father the President have received the answer of his Chickasaw children. The commissioners herewith send you a talk of our late father, President Monroe, to the Congress of the United States. This talk will prove to you that measures have been for some time in progress by which all our Indian brethren will ultimately be removed from this to the other side of the Mississippi river. You will also see that this plan of the Government is not new nor hastily adopted. It is the result of mature deliberation, and will not be relinquished until it is finally accomplished.

Th objections of our red brethren to the policy of our Government cannot prevent it. Already have your neighbors and relatives the Creeks Cherokees and Chocktaws secured themselves a country beyond the Mississippi, where their names and their nations may be preserved. Would it not be wise in you to follow their example, whilst yet it is in your power, and before it is too late to do so with advantage? You will then be, as you are now, their neighbors and friends. Having a common interest, you would be able to make common cause, and mutually defend each other against all your enemies. In addition to this, for your protection, you will have the faith of the Government of the United States pledged to you by the sacred seal of a treaty. We are also bound by every feeling of brotherhood

and a common interest to secure you against the encroachments of our white brothers, and to defend against yours and our enemies. Are you willing to sit down in delusive security, and see your nation gradually diminish and your people dwindle away, until the very name and language of a Chickasaw is forever lost?

Your father the President is persuaded that this will be your fate unless you join your red brothers on the west of the Mississippi. His wisdom and foresight together with his ability and disposition to protect you will enable you to guard against it if you will like dutiful children receive his talk. Here you have a country greatly too large for you if you intend to depend upon the earth for a support and entirely too small if you intend to depend upon game for support.

If you wish to remain here and be civilized you must contract your limits and you must apply to the ground for support. When your people who are now scattered over a wide surface and far separated from each other shall be brought together, and compelled to live near to one another the march of civilization will then be rapid, industry will spread its blessings over your land, your population will increase and you will speedily arrive at that state of improvement which your father the President so much desires. So soon as this is accomplished his red children will be entitled to all the civil and political rights of his white children. You say that to remove would be like transplanting an old tree which would wither and die.

The trees of the forest and particularly the most useless are most difficult to transplant but fruit trees which are more particularly designed by the Great Spirit for the nourishment and comfort of man require not only to be transplanted but nourished and cultivated and even pruned to bring forth good fruit. You say you are attached to the land of your fathers—this is right and natural. But how seldom does it fall to the lot of your white brothers to leave their bones in the land of their fathers? We may repine at it and regret it but such is the ever changing condition of our people that all of them submit to their lot.

A wise man will cheerfully submit when he is convinced that the change although disagreeable to him is for the benefit of his country and his children.

You say you are a small nation and by removing you will be

more exposed to your enemies. From all dangers from this quarter the United States will be bound to protect you.

The strong arm of our Government will protect all the tribes on the west side of the Mississippi and keep them at peace with one another. It has protected all the Indians who have removed, and will feel doubly bound to protect the Chickasaws "who have never shed the blood of a white man."

But should you still be opposed to exchanging your land here for a country west of the Mississippi your father the President has directed his commissioners to say that the interest of his white children makes it his duty to call upon you to sell him a part of your land.

His white children never will be satisfied until they have a communication through their own settlements between the city of New Orleans and the State of Tennessee. In the late war when the British invaded Louisiana our white brothers of New Orleans and of Natchez were compelled to call upon their brothers in Tennessee and Kentucky to defend them.

The distance was so great that the country of the Mississippi was for a long time left exposed. Our towns would have been burned, our property plundered and our country lost but for timely and miraculous relief by our brothers from Tennessee and Kentucky.

This state of things must not occur again. The wide country between Mississippi and Tennessee must be settled. We must have men near at hand to defend our seaports and our Southern white brothers.

You have more land than you can use. Your white brethren have to protect their own and the country of their red brothers.

They defray the expenses of the Government in peace and feed and support their armies in war. The only advantage the Government derives from its red children is to get occasionally some of their lands at a fair and reasonable price. By refusing to sell us lands you withhold the only means in your power of contributing to the support and prosperity of the Government of the United States. Should you obstinately persist in this your father the President will be compelled to do that which you ought most willingly and of your own accord to do. You must see the necessity of selling a part of your lands so as to enable us to connect our lower and upper countries. If our Choctaw

brothers will act toward the Government with that liberality which we have a right to expect we will be enabled with what we calculate on getting from you to accomplish this most desirable object.

Your father the President says you must sell to your white brothers that part of your land which you can most conveniently spare and which their necessities compel them to have. It is not proposed to take any part of your country without giving you ample compensation. Your father the President would not defraud you and the commissioners would scorn to take advantage of either your weakness or your necessities.

They are resolved to deal fairly and honorably with you and pay a full and liberal value for your lands in money for the benefit of the whole nation; and in addition will give reservations with good title and of reasonable sized tracts to such of the natives as live on that portion of the land which may be ceded to the United States. To attain the objects of your father the President it is proposed that you will sell us a part of your country on the Tombigby river and its waters and to adjoin Monroe County—of size sufficient to form a federal district and to be bounded by such lines as your brothers and your chiefs and head men may agree on.

(Signed)

THOS. HINDS.

JNO. COFFEE."

After this "talk" was read to the Council Genl. Coffee made an address emphasizing the reasons for a sale or removal. The next day was spent by the Indians in consultation among themselves and on the 27th they submitted their answer in writing which was substantially a repetition of the reasons given in their first communication against either selling their land or exchanging for territory west of the Mississippi.

These answers are a queer combination of submissive humility to the wish of the President, and an unalterable determination not to give up the country of their fathers. They meet the arguments of the commissioners squarely and repeat many times that they will not remove but say they are entirely in the hands of the President, who alone can protect them.

On the 28th, after another address, Coffee took a step from which he evidently expected a sensation and material results.

He submitted a statement from Walter Bunch that he had heard threats made against the life of any chief who advocated submission to the plan of the commissioners, and claimed the Indians were being intimidated.

This announcement was without effect, and the commissioners made a proposition in new language differing from the first only in some minor details, and in offering to pay for their houses, their stock lost or injured in transit to the new territory if they moved, the expenses and per diem of a party who would first visit and examine the country offered them, and finally "a large sum in money by annuities." This was also refused by the Indians. Then a new commissioner for the Government, Gen. Wm. Clark, appeared on the scene, and made an address to the council, at the conclusion of which Levi Colbert for the Indians announced that there was not a man in the nation who would consent to the sale of either the whole or a part of their country.

The following communication terminated the negotiations:

"Friends and Brothers:

"We have layd before the Council this evening the talks of the Commissioners and have come to this determination as we have no wish to exchange our lands here for any other we think it unnecessary to run our Father the President to any further expense; therefore we have to refuse your propositions.

"If we was to accede to the offers made us in exploring that section of the country west of the Mississippi it would incur great expense for no effect as we are entirely opposed to changing countries. We are happy to see our brother the Commissioner William Clarke and are thankful for his counsel. If we had any idea of exchanging our lands with the government we should be happy in receiving his information of the situation of that country.

"As this appears to be the last talk that we have to swap together at this time we wish to tell our brothers the commissioners that as we met them like brothers we hope to part in the same kind of spirit.

(Signed)

LEVI COLBERT.
EMMUBBY,
ISHTEMALETKA,
J. MCCLISH,
MARTIN COLBERT."

FIRST LANDOWNERS IN JONESBOROUGH.

The Historical Society's collection contains the following paper, which was presented by Dr. Ramsay, its former president:

"Copy of the original list of lots, formerly in the possession of Jesse Walton; those that appear marked paid he has made oath are all he has received pay for, at the rate of 75 dollars each lot."

A memorandum on the same sheet to this effect:

"Contra per credit February 1781 Paid to John Gilliland 1115 dollars in part for his services in laying out the town of Jonesborough:

Robert Sevier 1 lot pd. not drawn.

Major Reynolds 3 pd. Nos. 41, 7, 70

David Huse 2

Nathl. Evans 1 pd No 68

Martin Maney 4 No 71, 62, 53, 36

Jas. Allison 8 No 45, 66, 52, 37, 16, 64, 18, 31

Peter McClune 2 No 40, 9

John Allison 2 No 54, 55

Jesse Bounds 2 pd No 38, 58

Capt. Stephen Cole 2 pd No 69, 57

Capt. Chas. Holliway 2 pd No 50, 27

Since sold to Jesse Walton, now sold to Christopher Taylor May 2, 1785

Wm Noddy 1 pd No 10

Jas Ray 1 pd No 34

Richard Minton 2 pd No 2, 33

Col. Andrew Belford 4 No 47, 25, 61, 67

Jas Rease 4 No 65, 26, 1, 35

Spruce McCoy 2 No 19, 32

John Yancy 1 No 56

John Woods 2 No 42, 51

James Lackey 2 No 28, 17

John Gilliland 2 No 59, 46

James Stuart 10, No 48, 15, 39, 20, 72, 11, 12, 4, 43, 8

Jesse Walton 9 No 44, 13, 3, 49, 23, 24, 5, 6, 63, 14

SKETCH OF HENRY RUTHERFORD.

[Read before the Tennessee Historical Society by Hon. P. T. Glass.]

Henry Rutherford was born in Rowan County, North Carolina, August 17, 1762, and was the second son of Genl. Griffith Rutherford, of that State.

The latter was a distinguished actor in the struggle for American independence, being identified with the earliest movements in that direction. He was one of the band of Regulators organized to suppress toryism in his part of the State under the guidance of Hermann Husbands. He was sent to the first assemblage of patriots at Newbern, in 1775, to protest against British oppression, and to the Continental Congress at Halifax in August, 1776. By this congress he was made a brigadier-general, and served throughout the struggle. He was also a member of the convention that framed the State constitution in 1776, as well as a member of the committee of safety. Among the military achievements of Gen'l Rutherford not the least was his march across the mountains for the purpose of chastising the "over hill" Cherokees for depredations on the frontier settlers. In this campaign he advanced as far as their middle towns near the present city of Chattanooga, driving the Indians from their villages on the Little Tennessee, destroying their houses and crops, and driving away their cattle.

The route of his march was long known as Rutherford's Trace. He commanded a brigade in the ill-fated battle of Camden, was taken prisoner and sent to St. Augustine, Florida. As a reward for his patriotism and courage, North Carolina and Tennessee have each preserved his name in one of their counties, and his native State further honored and rewarded him by the gift of a warrant for five thousand acres of land. This warrant was first "located" on a part of the 25,000-acre grant to Gen'l Nathaniel Greene, in the present county of Maury, Tennessee.

A lawsuit, growing out of the double location of warrants, was finally decided by the United States Supreme Court in favor of the heirs of Gen'l Greene

The Legislature, at a subsequent session, authorized the heirs of Gen'l Rutherford to lift the warrant and locate it elsewhere. Gen'l Rutherford was appointed by the President one of the legislative counselors for the territory south of the Ohio, and was elected president of that body August 26, 1794; this territory two years later becoming the State of Tennessee.

Gen. Rutherford removed many years afterward to Williamson County, Tennessee, and settled on Little Harpeth, where he lived until his death, about 1810. His wife was Elizabeth, daughter of Governor Graham, of North Carolina.

Henry Rutherford inherited a good constitution and the thrifty habits of his Scotch-Irish ancestry, and was gifted with great decision of character and indomitable energy. He was educated at such schools as the country then afforded, and was taught the art of surveying, which he pursued, in connection with farming, for a livelihood all his life. He was a resident of what became Tennessee when the act was passed—October, 1783—creating the Armstrong land office, which was established at Hillsboro; and land warrants issued to officers and privates of the Revolutionary Army could be registered there and located upon lands in Middle or Western Tennessee. Henry Rutherford, E. Harris, and James Robertson were appointed deputy surveyors, and with Almer Bush and W. Bush as guides and hunters, and six chain bearers, came in June, 1785, to the French Lick, the future site of Nashville. Finding that much of the best land was appropriated, they set out for the west end of the State, then claimed by the Chickasaws. They descended the Cumberland in canoes, proceeding cautiously for fear of Indians, examining the country as far as practicable with the view of future locations. There was at the time a new settlement near the present site of Clarksville, though the Cherokees were claiming the country, and constantly roaming over it, as were the Chickasaws, the Shawnees, called the roving band, having been driven out.

Old Fort Massac had been built below the mouth of the Tennessee, on the north side of the Ohio. The Spanish also had a trading post at New Madrid, prior to that time occupied by the French, and called by them *Lauce de Grace*. Notwithstanding the occupation by Indians of the country traversed by Rutherford and his party, they were not molested. They descended the Ohio

and Mississippi to the mouth of a small stream emptying into it, which the Indians called Okeena. The killing of a deer here suggested the name Forked Deer. The party separated here, Rutherford with two chain carriers, Amos and Alexander Moore, with Almer and W. Bush went up this stream, while Harris and Robertson and four chain carriers went down the Mississippi and began locating on the Coosa Hatchie River, and later on the Obion. The two parties must have rejoined each other in the neighborhood of the latter, as they frequently exchanged chain carriers, as their field notes show.

Rutherford made his way up stream some nine miles, named a lake there Boyd's Lake, which afterward was called Clear Lake, for Adam Boyd, for whom he made the first survey August 30, 1785. Dissatisfied with the character of the land, which was all either subject to overflow or much broken, he went up the stream to the first bluff, and near the mouth of a spring branch, on September 1st. he made the beginning corner of his connected surveys on the Forked Deer River.

It is claimed that the name given this stream originated in this way: That some member of the party killed, near their camp on its banks, a large buck with horns of a peculiar shape, and it was decided to call the river Forked Deer, and it was so referred to in Rutherford's surveys. Here the beginning point, known as the "Key Corner," was marked on a leaning sycamore standing on the south bank of the river, on which he cut the letters H. R., and a large key, to indicate it as the key to all his Forked Deer surveys. This was the beginning corner of four of his locations; the first of 3,000 acres in the name of Griffith Rutherford, his father; the second of 5,000 acres for Benjamin Smith; the third for Benjamin Smith, of 5,000 acres; and the fourth for Martin Armstrong, of 5,000 acres.

During Rutherford's first visit to West Tennessee he located there more than three hundred and sixty-five thousand acres of land, of which thirteen thousand five hundred were for himself, six thousand for his father, and five thousand for his brother John. He located besides numerous warrants for the Blounts, John Carter, Henry Clark, John Estes, E. Harris, W. Hughlett, George Doherty, and many others.

Rutherford began his surveys at the key corner more than a year prior to the John Rice location below the mouth of Wolf

River, that being made by Isaac Roberts December 1st, 1786. Rutherford's surveys were made on the waters of the Forked Deer, Obion, and Mississippi rivers, and Reelfoot Creek; many on the spot that is now Reelfoot Lake. None of the large lakes in the Mississippi bottom, in West Tennessee, then existed, and were formed in 1811 by earthquakes.

Rutherford's Fork of Obion, on which he made many surveys, he named for himself. He spent three months in locating lands in the latter part of 1785. His father represented Rowan County in the Legislature of North Carolina in 1786, and soon afterward removed with Henry to Harpeth River. Henry resided there until West Tennessee was opened for settlement by a treaty with the Chickasaws, October 18, 1818. In 1819 Henry Rutherford, in company with his brothers, John and Griffith, and a Mr. Crenshaw and their families, descended the Cumberland from Nashville, in scows or flat boats, and began to build houses and clear their lands.

Henry Rutherford settled some three miles east of Key Corner, on one of the tracts he had entered in his own name, in 1785. The Baptist Church near Double Bridges was built on this tract, on land given by him. The church is called Elon, and was at first used by all the orthodox denominations, and as a school-house.

On his first visit to locate his warrants, Rutherford soon exhausted his provisions, and then his supply of salt, and having reached the forks of the river, he abandoned his canoe and depended for subsistence upon the gun. His half-breed was a good woodsman and guide, while W. Bush, his hunter, furnished the party with elk, bear, deer, and turkey. His surveys were made according to the cardinal points; he was not only a good surveyor, but did his work rapidly. He had a remarkable memory, being able in many instances to name the trees on which corners had been made thirty or forty years afterward, and to go to the places and identify them.

The pea vine was at the time of his first visit so rank that persons walking through it and dragging a chain left a conspicuous trail, and it was Rutherford's practice, for fear of being ambushed, to move a half mile from his line at night. He saw no Indians while in West Tennessee, and in fact not until he reached the Tennessee River on his way to Nashville. Rutherford pos-

sessed superior business qualities; he was of generous impulses, was ardent in his friendships, and always trustworthy. He inherited slaves from his father, but was too indulgent to make them a source of much income; most of them were taught to read. He did not realize much from his large landed estate, much of it being sold at low prices. Much of his time was given to the public, in aiding new-comers and others in finding their lands and tracing the lines. He was often summoned to testify as to land titles, and to make resurveys to be used in litigation. Heavy drafts were made on his hospitality by strangers who visited the country in quest of homes. As he kept open house, declining to accept payment for the entertainment of travelers, he not only did not become rich, but died poorer than at the time of his settlement. Notwithstanding he was brave, and of much experience in the forest, he was on one occasion frightened out of his senses. While making a survey in what is now Maury County, he declared he heard Indians, and leaving his camp started in the dark for Nashville. He took a southern direction, and soon reaching Duck River declared it had sprung up during the night, and was not there the previous day. It was with great difficulty that his comrades, who had followed him, convinced him that the stream was in its proper place, and that there were no Indians near the camp.

Henry Rutherford contributed in great degree to the up-building and development of the State. He was a broad-minded man, who gave encouragement and pecuniary aid to all public and charitable causes. After a long and useful career, devoted particularly to the settlement of the Western District, he died May 20, 1847, at the age of eighty-five, and was buried at Elon Church Cemetery.

TO CORRECT SOME HISTORIC ERRORS.

BY THE LATE E. D. HICKS (1872).

I conceive it to be the duty of the Tennessee Historical Society to correct as far as possible errors which have found their way into the different histories of the State, and this paper is not written in a spirit of captious fault-finding, but as nearly as possible to arrive at facts.

I shall quote from Gilbert Imlay's *Topographical Description of the Western Territory of North America*, first published in London, in 1792. Imlay was evidently a scholar, and his book must have attracted much attention, for in that early day a third edition, with additions, was published in 1797. It contains an autobiography of Daniel Boon, written in 1784. As to Boon, Francis Baily, subsequently President of the Royal Astronomical Society of Great Britain, says, that descending the Ohio River he met Boon on April 9, 1797, and having a copy of Imlay with him, he read to Boon the autobiography, and Boon said it was correct (*Baily's Journal*). Imlay's book seems to have been unknown to Haywood, Ramsey, or Putnam, although it is evidently the earliest book of any note describing this western country; their quotations from it seem to have been taken at secondhand from Monette and Butler. Without entering into the details of Boon's various adventures, I only make extracts sufficient to fix dates. Boon says:

"On the first of May, 1769, I resigned my domestic happiness for a time (Boon evidently intimates by this that he was not in the habit of leaving home), and left my home on the Yadkin in quest of the country of Kentucky, in company with John Finley and others. On the 7th of June following, we found ourselves on Red River, where John Finley had previously been, and from the top of an eminence saw the beautiful level of Kentucky."

The Red River referred to by Boon is undoubtedly the branch of the Kentucky River, but the Clinch was called Red River. See Imlay, pages 118 and 494, where it is referred to as a branch of

the Cuttawa in one place and Cherokee in the other, both of which are original names of the Tennessee, as Ouasioto (the French Ou for W), or Wasioto, was the original name for Cumberland river and mountains.

Boon describes his adventures in Kentucky, where he remained, part of the time alone, until some time after March, 1771, when he returned to his family on Yadkin determined to remove them to Kentucky, which he considered "a second paradise." Boon makes no mention of leaving home, and from the tenor of his narrative remained on the Yadkin, until, as he says, "I sold my farm on the Yadkin, and such goods as we could not carry with us. I left the Yadkin 25th September, 1773, and proceeded on our journey to Kentucky with 5 families more and 40 men that joined us in Powel's Valley. We had passed over two mountains, Powel's and Walden's, and were approaching Cumberland Mountain, when on 10th October, 1773, we were attacked by Indians who killed 6 and wounded 1 man. We repulsed the enemy, but were so discouraged that we retreated 40 miles to the settlement on Clinch River." "I remained with my family on Clinch until June 6th, 1774, when I and one Michael Stoner were solicited by Gov. Dunmore, of Virginia, to go to the Falls of the Ohio. This we did, completing the tour of 800 miles, under many difficulties, in 62 days. Soon after I returned home I was ordered to take command of three garrisons during the war that Gov. Dunmore carried on against the Shawanese Indians, after the conclusion of which and I, being relieved of my post, was solicited by some North Carolina gentlemen, who were about purchasing the lands lying on the south side of Kentucky River from the Cherokee Indians, to attend their treaty at Watauga in March, 1775, to negotiate with them and mention the boundaries of the purchase. This I accepted." This was the Henderson purchase, and this is the first that Boon has to say in regard to Henderson. Within a few months from this time Boon had built the fort at Boonsboro, and removed his family to Kentucky. From these dates given by Boon it is certain that from June 1769, to April, 1771, he was in Kentucky. He then returned to the Yadkin; there is no evidence from his narrative that from this time until 25th September, 1773, that he ever left the Yadkin. All the probabilities are that he remained there, having no business on Watauga, his intention being to settle in Kentucky.

Ramsey, followed by Putnam, tells the story of the beech tree in the valley of the Watauga with the inscription of "D. Boon cilled a bar on tree in the year 1760" as sufficient authority to date the arrival of Boon in Tennessee in 1760. Ninety years is a very, very long time for an inscription to remain legible on a beech tree, and when I hear of one of our highland terrapins being found with John Smith neatly engraved on his shell, and dated 1750, I do not believe that the terrapin and 1750 have anything in common. That the inscription is on the tree is probably true, but that D. Boon put it there is too doubtful to be believed. Haywood and Ramsey bring Boon to Abingdon, Va., in 1761. Haywood and Ramsey put him in Kentucky in 1764 at the Crab Orchard, as Haywood says, in the employ of Henderson & Co., to be informed in the geography, and to use Haywood's quaint word *locography* of the country. It seems a little strange that Boon should have said nothing in his narrative about all of these trips, and that Henderson had a company formed for more than ten years with Boon in his pay in the then unsettled condition of the country. Both Haywood and Putnam have Boon on Watauga in 1770, when his own narrative says he was in Kentucky. Putnam has him in Kentucky 1769 and 1770 examining lands for Henderson & Co. Boon says nothing of all this, but says he "hunted with success." If sent to examine lands, he would not have taken two years to do it, but would have made his examination and gone back to report. Putnam has Boon on Watauga in 1771, not with intention to remain, but "bent on seeing regions beyond." Boon says in 1771 he returned to the Yadkin, and says nothing about a conference with Robertson which related to the formation of the Watauga compact, with which Putnam credits him. Strange that Haywood, after having Henderson's Co. formed as early as 1764, should state that the failure of Robertson's Co. to make a purchase in 1772 eventuated in the formation of a company by Henderson, who actually made a purchase in 1774 and 1775.

Boon never says a word about Henderson, but at the close of Lord Dunmore's war, in the latter part of 1774 or beginning of 1775, says he was solicited by some North Carolina gentlemen to attend a treaty, negotiate and mention the boundaries of the purchase. I seriously doubt if Boon had ever any connection with Henderson until the treaty of March, 1775, for it is shown

by his narrative that he was on his way to make a settlement in Kentucky when he was attacked October 10th, 1773, nearly two years previous, and retreated, as he says, to the Clinch, as Putnam says to the Watauga and Holston settlements.

Putnam says that Andrew Jackson was appointed Judge of the Superior Court of Law and Equity, the first session of which was to be held in Davidson County, May, 1784, and declined, without ever pausing to think that Jackson was born in 1767, and was then just 17 years old, and a rather rude boy. How or where he got such an idea I cannot conceive. The facts are that the act establishing the court was passed at the session beginning November 19th and ending 29th December, 1785, and the court was to be held May, 1786. Haywood says: "They appointed a young man of the age of twenty-four years to be judge of this court, who, upon mature reflection, becoming fearful that his small experience and stock of legal acquirements were inadequate to the performance of those great duties which the office devolved upon him, chose rather to resign than to risk the injustice to suitors, which others of better qualifications might certainly avoid." Judge Haywood is evidently modestly speaking of himself. He was just 24 years old, having been born 16th March, 1762. (I know that it is casually stated in the biography of Haywood, prefixed to the reprint of his Civil History of Tennessee, that he was born in 1753; but an elaborate sketch of his life given in Southwestern Law Journal and Reporter, June, 1844, gives the date as I have, and states that he died 22d December, 1826, in his 64th year.) Had Jackson been the appointee and declined for the reasons given, Haywood would certainly had no reasons for not giving his name, for the action was certainly honorable.

Haywood, Ramsey and Putnam all state that Edwin Hickman, for whom Hickman County was named, was killed in 1785 on Piney River. There is in the collection of this society a sketch giving the details of the expedition which went to bury Hickman, as narrated by Capt. John Davis, who was one of the party. Capt. Davis came to Nashville in 1788, and as he helped bury him, his death could not have been earlier than this date. Capt. Davis states that it occurred in 1791, and pointed out to me the place where it occurred, not on Piney, but on Defeated Creek of Duck River. The records show that Hickman was appointed one of the magistrates of Davidson County in 1791.

Mr. Putnam states that John Sevier was appointed *Major* General for the District of Washington, and Jas. Robertson for the District of Mero. This is an error. Gov. Blount, as Territorial Governor, had authority to appoint all field officers of the militia, but not the general officers. He recommended to the President Sevier and Robertson in 1790, and their commissions were issued in 1791 as *Brigadier* Generals. Robertson signed the order for the Nickajack campaign in 1794 as Brig. Gen'l, resigned as Brig. Gen'l in 1795, and in 1796 the Tennessee Legislature elected Jas. Winchester Brig. Gen'l to succeed him. Robertson was censured by the Secretary of War for ordering the Nickajack campaign, and this censure, in fact, was the cause of his resignation. The congress of the United States, however, had a more correct idea of Robertson's wisdom and patriotism, for in 1798, in the face of an adverse and decidedly hostile report from the then Secretary of War, congress ordered that the soldiers engaged in the Nickajack campaign should be paid.

I find another curious error in the Chronological Table in Official Manual of Tennessee. Under the date of 1790 "John Donelson was appointed Major General of the United States army by President Washington." As a matter of Tennessee history this could only refer to Col. John Donelson, the ancestor of the Tennessee family of that name, for his son, John Donelson, Jr., was a young man, and as late as 1792 was only captain or possibly major in the militia of Mero District. Col. John Donelson, if alive, would have been, in 1790, an old man over seventy years of age, but unfortunately for the truth of this bit of history, he had been killed in January, 1786, on his return from Virginia and Kentucky to join his family in Tennessee.

THE EARTHQUAKES OF 1811.

The statement by Mr. Glass, in his sketch of Henry Rutherford, that Reelfoot, and possibly other lakes in West Tennessee, were formed by the earthquakes of 1811, has suggested the reproduction of a letter addressed to Rev. Lorenzo Dow, by a lady living in the town which most seriously felt the effects of the shock:

New Madrid
Territory of Missouri
March 22 1816

Dear Sir

On the 16th of December 1811 about 2 oc. am. we were visited by a violent shock of earthquake accompanied by a very awful noise resembling loud but distant thunder but hoarse and vibrating followed by complete saturation of the atmosphere with sulphurous vapor causing total darkness. The screams of the inhabitants, the cries of fowls and beasts of every species, the falling trees and the roaring of the Mississippi, the current of which was retrograde for a few minutes owing as is supposed to an eruption in its bed, formed a scene truly horrible.

From that time until about sunrise a number of lighter shocks occurred at which time one more violent than the first took place with the same accompaniments.

There were several shocks in a day but lighter than those mentioned until the 23rd of January 1812 when one occurred as violent as the severest of the former ones accompanied by the same phenomena.

From this time until the 4th of February the earth was in continual agitation visibly waving as a gentle sea. On that day there was another shock nearly as hard as the preceding ones; next day four such and on the 7th at about 4 o.c. a.m. a

concussion took place so much more violent than those preceding it that it is denominated the "hard shock."

The Mississippi first seemed to recede from its banks and its waters gathered up like a mountain leaving for a moment many boats which were here on their way to New Orleans on the bare sand in which time the poor sailors made their escape from them. Then rising fifteen or twenty feet perpendicularly and expanding as it were at the same time, the banks were overflowed with a retrograde current rapid as a torrent; the boats which before had been left on the sand were now torn from their moorings and suddenly driven up a little creek at the mouth of which they had laid, to a distance in some instances of nearly a quarter of a mile.

The river falling immediately as rapidly as it had risen receded within its banks with such violence that it took with it whole groves of young cotton wood trees which had ledged its borders. They were broken off with such regularity in some instances that persons who had not witnessed the fact could be with difficulty persuaded that it had not been the work of art. The river was literally covered with the wrecks of boats.

The surface of the earth was from time to time by these hard shocks covered to various depths by the sand which issued from fissures which were made in great numbers all over this country, some of which closed up immediately after they had vomited forth their sand and water which was the matter generally thrown up. In some places however a substance resembling coal or impure stone coal was thrown up with the sand. It is impossible to say what the depth of the fissures was; we have reason to believe that some of them were very deep. The site of this town was evidently settled down at least fifteen feet, and not more than half a mile below the town there does not appear to be any alteration of the bank of the river; back from the river large ponds or lakes which covered a large part of the country were nearly dried up. The beds of some of them are elevated above their former banks several feet producing an alteration from their original state of ten to twenty feet, and lately it has been discovered that a lake was formed on the

opposite side of the Mississippi in the Indian country upwards of one hundred miles in length and from one to six miles in width of the depth of from ten to fifty feet.

It has communication at both ends with the Mississippi and it has been conjectured that it will not be many years before the principal part if not the whole of the river will pass that way. We were constrained by the fear of our houses falling to live for twelve or eighteen months in little light camps made of boards; but we gradually became callous and returned to our houses.

Most of those who fled the country in the time of the hard shocks have since returned home. We have since their commencement in 1811 and still continue to feel light shocks occasionally. It is seldom indeed that we are more than a week without feeling one, and sometimes three or four in a day. There were two this winter past much harder than for two years past; but since then they appear to be lighter than they have ever been and we begin to hope that ere long they will entirely cease.

Your humble servant,

ELIZA BRYAN.

(Life of Lorenzo Dow, p. 242.)

Peter Cartwright, like Dow, an itinerant preacher, in his autobiography (p. 74), also describes this earthquake, and says "it struck terror to thousands of people, and under the mighty panic hundreds and thousands crowded to and joined the different churches."

He finishes his remarks on the subject with the assurance that "many of these people were sincere and stood firm" to their professions.

ROBERT CARTWRIGHT.

[Read before the Historical Society by J. A. Cartwright.]

Robert Cartwright was an aged man when he came to the Cumberland. From papers in the historical collections at Nashville it appears that he was a sheriff or sheriff's deputy in Princess Anne County, Virginia, in the year 1758.

He was, evidently, a man having considerable capacity for business, and must have had various and important transactions to engage his attention.

There is a formal appointment of Robt. Cartwright and others as guardians of the public peace on the western shore in Princess Anne in 1760. As an officer under his majesty, it appears that he, in several instances, complied with the requirements of that act of the British Parliament which caused such a commotion in the colonies and became one of the measures which produced the war of Revolution. We allude to the Stamp Act.

Several contracts and obligations are executed upon the stamped paper, and with great formality and legal precision.

The curious may be interested and amused by an examination of some of the old documents left by Mr. Cartwright, such as "A proclamation against an out-lying slave, named Jo, doing mischief, in the reign of our Sovereign Lord King George the third," concluding, "God save the King!"

The English law and that proclamation in accordance with it, authorized and directed such runaway to be shot and killed by any person, unless he should quietly surrender or return peaceably to his owner.

It appears that Mr. Cartwright and others had some dealings with one Frederick Boush, who could not always comply with his engagements, and therefore was sued and harrassed, and being a man of "pashon," he spoke unadvisedly with his lips, and had to eat his own words.

"Advertisement.

"This is to certify that I did rashly and inconsiderately slander Ben Northern, by slanderous words, wrongfully in a pashon, for which I am *serry* and ask *pardon* of him the said Northern, whome I haved wronged.

given under my hand this 19th Day of May 1764.

Test.

FREDERICK BOUSH"

"Thomas Burges"

In 1770 pease were not only a good *edible* but *credible*,—for Esquire Cartwright obtained credit on his debt for "30 bushels of pease."

The following order contains some information relating to local matters in Davidson county and the residence of a few early settlers, which will justify its insertion here:

"Davidson Court day. Tenn. 1787.

"By order of Court, Robt. Cartwright is appointed to oversee the clearing out so far as from Whites Creek to Mansker's Station, the road as lately laid out by Hadon Wells & Co. and that those living at Dan Frazers, Sam Walkers, Mr. Mears and Mr. Coon's and all within sa. Bounds work thereon, under the direction of ye sd. Cartwright in clearing out the sd. Road.

"Test—ANDREW EWING C.D.C."

In 1797 Mr. Cartwright obtained a license, in due form, "to distill liquor from materials of the growth or produce of the United States for the term of one month, paying the revenue of ten cents per gallon on what his said still may contain."

This was under the act which caused the commotion and whisky rebellion in Western Pennsylvania and encountered the fierce opposition of the Tipton party in East Tennessee.

We cannot afford to give a facsimile, but a copy of the following writ:

STATE OF TENNESSEE, }
DAVIDSON COUNTY. } To any lawful ofser you

are heir by Commanded to summons Daniel Frazar, John hope, Jeams Bowers Joseph Shay Wiliam Boen David Shannon abner Johnson absalom Hooper, Ben Johnson, Nickols, John Worken John Mack farling, To apear be for Me or some

Other jistis of said county To anser the Complaint of Robt. Cartwright Óver sear of the rod fer Default in working on said rod given under my hand and seal '

this 30th June 1797.

JOSEPH PHILLIPS."

This "jistis of Peace" was one of the worthiest men in Davidson county.

Mr. Cartwright came on the "Adventure" with Col. Donelson. He was in company with Captain Donelson at the Clover Bottom defeat, and was enabled to escape by riding Donelson's horse.

When Mansker's Station was abandoned, he removed to and remained at Eaton's.

He was an industrious and useful man, a consistent Christian, an ingenious mechanic, a judicious adviser, faithful friend, and quiet and influential citizen.

He has left a most worthy posterity.

THE ADMISSION OF TENNESSEE INTO THE UNION.

BY THE LATE NATHANIEL CROSS, APRIL, 1850.

The following extract from Mr. Calhoun's speech on the slavery question, delivered in the United States Senate March 4, 1850, contains an allusion to an incident in the history of Tennessee that is new, not only to the undersigned, but to others with whom he has conversed about it. In answer to the inquiry, What shall be done with California, should she not be admitted? Mr. Calhoun says:

"Remand her to the territorial condition, as was done in the case of Tennessee in the early stage of the government. Congress, in her case, had established a territorial government in the usual form, with a governor, judges, and other officers appointed by the United States. She was entitled, under the deed of cession, to be admitted to the Union as a State as soon as she had sixty thousand inhabitants. The territorial government, believing it had that number, took a census, by which it appeared it exceeded it. She then formed a constitution and applied for admission. Congress refused to admit her, on the ground that the census should be taken by the United States, and that Congress had not determined whether the territory should be formed into one or two States, as it was authorized to do under the cession. She returned quietly to her territorial condition. An act was passed to take a census by the United States, containing the provision that the territory should form one State. All afterwards was regularly conducted, and the territory admitted in due form as a State."

The presumption would seem to be that Mr. Calhoun should be correct in regard to the history of the admission of Tennessee to the Union; and yet the little investigation I have been able to give to the subject since his speech has been received here would appear to lead to the contrary result, and to indicate that our State is not entitled to the credit that he gives her of "returning quietly to her territorial condition," when remanded back by Congress, if she was thus remanded; and that

this example, so far from sustaining the position taken by Mr. Calhoun in regard to California, is rather against it.

In Roustone's Statutes of Tennessee, pages 51, 524, 53, is an act passed July 11, 1795, at the second session of the Territorial Legislature, providing for the taking of the census of the Territory, preparatory to application for admission into the Union. The schedule, according to which the sheriffs of the counties are to make their returns, consists of six columns, to contain heads of families, free white males of 16 years and upwards, free white males under 16 years, free white females, all other free persons, and slaves; and what is remarkable, as indicating in advance something of that independent spirit that had already prompted the creation of the short-lived State of Franklin, the sheriffs and their deputies are directed to add an additional column to the schedule, containing the answers given by each free male person, 18 years of age and upward, to the following question: "Is it your wish, if upon taking the enumeration, there should prove to be less than 60,000 inhabitants, that this territory shall be admitted as a State into the federal Union with such less number, or not?" "And it shall be the duty of the sheriffs," the act goes on to say, "and of their deputies, to make due returns of the yeas and nays upon that question, to the governor; and if the number be less than 60,000, and the question be determined in the affirmative, the governor is requested to call the general assembly into session as early as may be." If the population should prove to be 60,000, the act directs that the governor shall order an election of five members from each county, to meet in convention at Knoxville, at such time as he shall judge proper, for the purpose of forming a constitution. If the population had been less than 60,000, the Territorial Legislature was to have been convened, if the people desired it; but what measures the Legislature could have taken to have brought about an admission into the Union, without the requisite number of inhabitants, is not easy to conceive; but from what was actually done, and what was contemplated to be done had the necessity occurred, as appears from the provisions of the act, it appears that there was presented, or would have been presented, a condition of things quite as anomalous as that of California. But a remarkable fact in the history of the admission of Tennessee remains to be noticed, and which proves,

as before hinted, that Mr. Calhoun, unless there is some mistake in my authorities, has been very unfortunate in citing the case of Tennessee as a precedent for remanding California back to the territorial condition. And here it may be proper to state that I would not be understood as opposed to this remanding, or in favor of admitting this golden territory into the Union; only if the alternative is between admission with disunion, and remanding with union; few, I presume, would hesitate to adopt the latter. But to return to the subject. I went to the office of the Secretary of State last Saturday to see if I could verify Mr. Calhoun's statement, but found the books in the Library, as is well known, in great confusion, and in saying this I would not be understood as imputing anything like negligence to the excellent and very gentlemanly incumbent of that office; for it is next to an impossibility to keep the books in order in this present exposed locality. Though I found there the journals of Congress for the first and second sessions for 1792, and for other years, I did not succeed in finding those for 1795 and 1796. In Peters' statutes at large, however, extending from 1789 to March 3, 1795, in Vol. I., pages 491, 492, is the act of Congress admitting Tennessee into the Union, and approved June 1, 1796; but there is nowhere in Peters, in the act of 1795 or 1796, any allusion to any remanding, or any previous application, or what might certainly be expected there, the act which Mr. Calhoun says Congress passed for taking the census in the regular manner.

Again, the sheriffs under the act of the Territorial Legislature were required to make their returns to the governor by the 30th of November, 1795. The governor, it must be presumed, then ordered elections to be held in several counties, as required by the act; the members elected met in convention at Knoxville, formed a constitution, sent it on to Philadelphia, where Congress then met, with a petition to be admitted into the Union; this petition, according to Mr. Calhoun, is rejected; Tennessee remanded back to her territorial condition; an act passed by Congress to take the census anew, and the whole process of organization gone over again, it is to be presumed, as he assures us, "that all afterwards was regularly conducted, and the territory admitted as a State in due form." And yet all these things connected with the birth of our glorious State were done in Ten-

nessee and undone in Philadelphia, and done over again in Tennessee and at last confirmed at Philadelphia between the 1st of December, 1795, and the 1st of June, 1796, and this before the introduction of telegraphs, railroads, steamboats, or even stages.

But the most suspicious and mysterious and almost comical part in the history of Mr. Calhoun's precedent for remanding California back to her territorial condition is yet to be noticed. According to Peters' Statutes, the act for the admission of Tennessee was approved, as before stated, the 1st of June, 1796; but according to Roulston's Statutes of Tennessee was begun and held at Knoxville on Monday, the 28th of March, 1796, and adjourned the 20th of April, 1796—that is, the first session of the State Legislature began more than three months, and closed more than two months, before Congress invested her with the attributes of sovereignty. While the conscript fathers on the other side of the mountains were telling her messenger, Mr. McMinn, and her representative, Mr. White, that she must remain a while longer in her pupilage and mend her manners and then come back and knock again for admission more civilly, this young cismontane sister seems to have flouted their paternal counsel and without further ceremony to have taken her place in the sisterhood of republics, and gone to work in the exercise of sovereignty in organizing her courts of justice, appointing State officers, chartering seminaries of learning, and providing for the election of members of Congress and for presidential elections. It is true that at the next session of the Legislature, begun the 30th of July, 1796, after the act of Congress admitting her into the Union had passed new acts for the election of members of Congress and of presidential electors were enacted and those of the previous session repealed; but there is no record, so far as I have been able to examine the matter, either of a new census of the territory, or of a new election of members of a convention, or of a second meeting of the old convention, or any other act indicating a reorganization of the government; or that "all things were regularly conducted and the territory admitted in due form as a State," as Mr. Calhoun says after she was remanded to her territorial condition.

An edition of Hume's History of England with Lingard's Variations was once published in Philadelphia; and such are the

uncertainties of history, as is known to all conversant with either ancient or modern authors, that similar editions could be published of the history of almost every country or important event that has been treated of by more than one person. Among these uncertainties may be classed, it would seem, some of the particulars connected with the admission of Tennessee to the Union. Mr. Calhoun has given a statement or version of the matter that appears to be new.

Monette, in his History of the Valley of the Mississippi, says the census was taken by the Territorial Legislature, and application made to Congress for authority to frame and adopt a constitution. The convention thus authorized assembled at Knoxville, January 11, 1796, and after a session of four weeks, adopted a constitution which, having been submitted to Congress, Tennessee was admitted to the Union, June 1, 1796.

Morris' Gazetteer says it was admitted June 6, and states, farther, that "writs of election were awarded immediately to elect representatives to the General Assembly, and a governor. Elections were held pursuant to notice, and Gen. John Sevier was elected the first governor of Tennessee."

The first General Assembly of the State, under the constitution, convened at Knoxville, Monday, March 28, 1796, but Mr. Morris has forgotten to indicate by what species of legerdemain these worthy fathers were elected after June 6, 1796, and held their meeting March 28 of the same year.

In review of the whole matter, it seems Tennessee assumed and exercised the attributes of sovereignty before they were duly conferred upon her; but that Congress, either not knowing this in those antetelegraph and anterailroad days, or else dreading another State of Franklin affair, or something worse, prudently opened the door and let her into the Union, though she did knock somewhat rudely.

If, however, the third section of the fourth article of the Constitution of the United States is the only directory in regard to the admission of new States, no general law having been passed on the subject by Congress, it would seem that great latitude is allowable in regard to the formalities in the process of organizing a government in the transition from the condition of a territory to that of a State.

So far as concerns the creation of a State from a territory;

the constitutional provision is contained in one brief clause: "New States may be admitted by Congress into the Union;" the other part of the section being designed to protect the sovereignty of States already existing, and to 'give Congress general power to dispose of, and make all needful rules respecting the territory of the United States. It would seem, then, that unless some general law had been passed, it was unnecessary that the application for admission should be preceded by congressional action.

All that Congress had to do after the application was to see that then the requisite number of inhabitants had been determined by census, that the Constitution had been ordained by their will, and was not inconsistent with the Federal Constitution. All other provisions, such as particular features of the Constitution, boundaries, etc., had to be determined by general considerations of justice and expediency, the power of Congress being absolute to admit or reject. Thus Iowa was kept out for some years because her inhabitants refused to limit her boundaries as Congress directed.

It would seem that the practice controlling admission of new States has not been uniform, nor does it appear necessary that it should be so.

Senator Hamlin, in advocating the admission of California, said "that of seventeen States admitted since the formation of the Union eight were formed after previous action by Congress, and nine without such action, and that the rule was against those who contended that States could only be formed in accordance with previous congressional action."

Mr. Haywood says that "Mr. McMinn, who carried the Constitution to Philadelphia, was instructed to stay long enough to ascertain if the members of Congress from Tennessee would be received, and he instructed Mr. White, the territorial representative, to have an act passed as soon as possible for the admission of the State, which act passed June 6, 1796.

"Writs of election issued from the convention February 6, 1796, for the election of Senators and Representatives to represent their counties in the next General Assembly, the session whereof was to commence on the last Monday of March; and also for the election of a governor of the State of Tennessee. The members of the Assembly were elected pursuant to the mode

which the Constitution prescribed, and the people elected John Sevier governor. At the appointed time the Assembly met at Knoxville, and the State of Tennessee there assumed the rank and exercised the authorities of a free and independent State."

But Haywood either did not notice the discrepancy of dates which he recorded, viz.: that the State was not admitted till the 6th of June, but assumed the rank and exercised the authorities of a free and independent State from the last Monday of March, i. e., three months before her majority; or else aware of this irregularity, chose, from prudential reasons to pass it over in silence.

SIGNIFICATION OF THE NAME ALABAMA.

The following note from Mr. A. J. Pickett, author of an excellent history of Alabama, on the origin of the name of that State, may be interesting. It is taken from the Historical Magazine, New York, for May, 1858:

House of Representatives, November 18, 1857.

Col. A. J. Pickett—Dear Sir: The proposition to change the great Seal of the State, has awakened an inquiry as to the truth of the opinion which derives the name of our State from the exclamation of an Indian chief, who, driven from his native land, found refuge within our territory, and who, delighted with the prospect which first met his eyes, cried out, with joy—Alabama! Here we rest!

As there is no one better qualified than the author of the "History of Alabama" to give us correct information on this subject, may I ask you for your opinion in regard to the origin of the word "Alabama?"

Very respectfully, your friend,

THOMAS H. HOBBS.

Montgomery, November 24th, 1857.

Dear Sir: The history of the migration of the Alabamas to the State which bears their name is interesting, but would be too long to be published in the columns of a paper, and it would only be a repetition of what I have already written. I will, in reply to your letter, simply say that abundant evidence, obtained from the journals of the earliest French, Spanish, and English explorers of this country, besides the best traditions I have been able to command, have given me every confidence to make the following brief statement.

When Cortes, at the period of three hundred and thirty years ago, invaded and subdued aboriginal Mexico, the tribe of Indians called the Alabamas were subjects of Montezumá. They occupied the country of the northwest of the Mexican empire, and, in conjunction with the Muscogee or Creek Indians, who

were also Mexican subjects, unsuccessfully attempted to repel the invasion of the Spaniards. After the tragical death of Montezuma, these two tribes began to migrate eastward. They had previously been at war with each other. On the sources of Red River, the Muscogees overtook the Alabamas, and, for a number of years, while each were journeying eastward, they had bloody conflicts. The Muscogees being by far the stronger party, were always successful, causing the Alabamas to abandon their new homes, and to extend their journey farther towards the east. At length, the former tribe ceased to pursue, and, crossing the Mississippi, established themselves in a country now known as Ohio, and were there living when De Soto invaded Alabama. The Alabamas continued southeast, and established themselves on the Yazoo River, and were there living when De Soto invaded the country now known as the State of Mississippi. On the 25th of April, 1541, De Soto marched upon the fort of the Alabamas, which was strongly defended by immense logs and ditches, and a strong garrison. A battle, as sanguinary as almost any other which had attended the march of this great Spaniard, immediately ensued. De Soto was successful, and many of the Alabamas were slain. Subsequently, they broke up their establishments in Mississippi, and, continuing east, came to the banks of the noble river which has ever since borne their name. They established a town called Coosawda, situated a mile below the junction of the Coosa and Tallapoosa rivers. Their next town, called Econcharte, and meaning red ground, was situated one mile below the wharf of the present Montgomery. Three miles further down the Alabama River was the next town, called Towassa; the next, Pouwacte, and the last, Autauga. These five towns, with the country immediately contiguous, formed the chief settlements of the Alabamas, all of which were upon the banks of the river known as the Alabama.

The Muscogees, the old enemies of the Alabamas, after the lapse of many years, journeyed from Ohio to this country. They once more routed the Alabamas, many of whom fled for protection to the Choctaws, Chickasaws, and Mobilians. The Muscogees continued their conquests and subdued all other tribes as far east as the Savannah River, and incorporated these subdued tribes into a great confederacy, called afterwards, by

the English traders, the Creek Confederacy, or Creek Indians, from the unusual number of creeks and rivers which flowed through their country. At length, the French discovered and settled the country about Mobile, and some of the chiefs of the Alabamas applied to Governor Bienville, to obtain his assistance to regain their abandoned establishments on the Alabama River. They represented the country on this river as highly favorable to the trading interest of the French colony, and Bienville turned his attention to the conclusion of a peace between these tribes. A peace was concluded, by which the Alabamas were allowed to remain in the Creek Confederacy, subject to the National Government, but to retain their peculiar customs (which was also allowed to the other vanquished tribes), and they returned to their towns on the Alabama River. These towns they occupied until the treaty of Fort Jackson, of 1814, compelled them, with the whole Muscogee (Creek) nation, to remove to the territory of the present counties of Coosa, Talladega, Randolph, Chambers, Tallapoosa, Macon, Russell, and Barbour. When, afterwards, the territory of these counties became occupied by the white population, the Alabamas were removed, in '36--'37, to Arkansas with the Muscogees, or Creeks. Many years before this, some had removed to the waters of the Sabine and Trinity.

Such is the brief history of the tribe of the Alabamas, from whom our river and our State take their names. In all the old Spanish, English, and French maps in my possession, this immediate section of our State is called "the Alabamas"—"the Alabamas river"—"the river of the Alabamous." On no map whatever, and in no old book, or old journal whatever, have I ever seen where this river and this immediate section of country were ever called by any other name than the river of the Alabamas, and the country of the Alabamas. The early French explorers called the Tennessee River the "river of the Cherokees," or "the Cherokee country," for the same reason—because the Cherokee tribe lived on that river.

In all the changes of the government of the territory of our State, the original name, Alabama, has been retained. Thus, in 1802, the United States bought all of our territory and that of Mississippi from Georgia, and erected the same into a government called the "Mississippi Territory." Afterwards, when

Mississippi became a State, the eastern portion was called "Alabama Territory," and afterwards, the State of Alabama, retaining the original name, derived from that tribe of Indians.

The words, "Alabama—here we rest," are very beautiful, and are entirely admissible in poetry, but the truth of history shall always be vindicated by me when necessary, and I view the present occasion as such, having been applied to by you for my opinion. It is, then, my conscientious, and, I think, well-founded opinion, that Alabama does not mean "here we rest."

I am, very respectfully, yours truly,

ALBERT J. PICKETT.

Hon. Thomas H. Hobbs, House Reps.

CORRESPONDENCE OF GEN. JAMES ROBERTSON.

(336)

Southwest Point, 5th May, 1807.

Sir:—

I have received a letter from the Secretary of War advising me that you & myself were appointed commissioners to run the Chickasaw and Cherokee boundary lines agreeably with the treaty with the Chickasaws & the convention with the Cherokees; that you, with Mr. Thomas Freeman, will meet me at the Chickasaw Old Fields—of the time of meeting you there I am to be notified by you. I presume, as you are solely commissioned for running the first mentioned line, that you will first run that line, & then meet me at the Chickasaw Old Fields.

Mrs. Meigs has been sometime ill with the Rheumatism, & I am now preparing to carry her to the Warm Springs. I have agreed to meet the Chiefs of the Cherokees at Highwasee, at the new Garrison, on the 10th June, to pay them a sum of money. I hope the arrangements which you shall make will be so calculated in point of time as to enable me to attend to the objects mentioned before I meet you at the C. Old Fields. However, I must endeavor to conform to circumstances. I also wish to move my family before the 10th of June to Highwasee.

I will thank you for a line informing me of your intended prosecution of the business as to time. You will observe that, as I understand the Secretary of War, you will solely direct the running of the Chickasaw line to the Old Fields, where I hope to induce the Cherokees to agree to let the Convention line include all the waters of the Elk River.

I am respectfully,

General J. Robertson.

RETURN J. MEIGS.

(337.)

General Post Office,

Sir:—

January 12, 1807.

I have received yours requesting a speedy answer to your proposals for clearing the road from Nashville to Grind Stone

Ford. Difficulties and embarrassments, which appear almost unsurmountable, have hitherto prevented a decision. Last week I thought they were so far removed that I ventured to request Mr. Dixon to write to you that your bid had been accepted so far as the Tennessee river, but new difficulties have arisen this morning which make it necessary for me to consider the whole business as open and unsettled for the present. Of this I have informed Dr. Dixon. At any rate, in the course of the present week a final decision will be had of which you shall have notice by the mail of the 20th.

With great esteem,
and Respect,
G. GRANGER.

Genl. James Robertson,
Nashville, T.

(338.)

Proposals made by James Robertson to Mr. Haller for opening a part of the road commonly called the Natchez road:

1st. He will open or clear the road 12 ft. wide from the Indian boundary to Tennessee river at four dollars pr. mile. From Tennessee river to the Chickasaw agency at seven dollars pr. mile.

2d. He will complete the necessary bridging at 66 & two-third cents pr. foot and the causewaying at 76 cents per yard.

or

He will take those two roads, bridge and causeway and slope the banks so that loaded wagons may pass, for \$1,700.

Otherwise he will commence at the Grindstone Ford and clear, as above named, to the pigeon-roost or big black at \$7 pr. mile (for clearing, bridging, causewaying, and sloping the banks).

or

He will take the aggregate sum of \$1,800 for said work and labor.

In either case he is willing to leave said work to be valued by Col. Meigs or Mr. Thos. Wright.

17th April, 1807.

Mr. Haller.

(339.)

Washington, January 25th, 1808.

Dear Sir:—

James Madison, who now is Secretary of State, is nominated to be President of the United States, and the esteemed Judge Clinton, who now is Vice President, is nominated to be Vice President of the United States; for the four years following next after the third of March in the year one thousand, eight hundred and nine. Wishing health and happiness,

yours, etc.,

JOHN RHEA,

Genl. James Robertson.

(340.)

Knoxville 24 March 1808.

Dear Sir,—

Our assembly at their last session passed a law for the purpose of holding a treaty with the Cherokees, provided the Executive of the United States acceded to the measure. I am lately informed by some of our delegates that permission is obtained, and that Colonel Meigs is appointed on the part of the United States.

The Executive of Tennessee is empowered to appoint one or more commissioners as he may deem necessary. I intend attending myself, and shall only appoint one Commissioner, and that one will be yourself, provided it will be suitable and agreeable to you to act in that capacity, which I hope it may.

Permit me to solicit your immediate answer on the subject, and in case you think proper to accept the appointment, I will then correspond and consult with you on the measures necessary to be pursued on the occasion.

I am with sincere esteem and respect,

your friend and hbl. servt.

Genl. James Robertson,

JOHN SEVIER,

(341.)

Marble Springs, 4th May 1808.

Sir,—

I had the pleasure of your letter dated April last, and am happy to learn that the appointment of Commissioner is agreea-

ble. On this business I shall shortly communicate more fully on the subject of the treaty. A day or two past I received a letter from Howell Tatum with his resignation of Commissioner. No person to fill the vacancy has been recommended. I wish to know of some suitable character, not only a person that would do justice to the State, but also to individuals. There have been a number of complaints against the first set, but as to Mr. Tatum I have not heard any. I wish he would have continued. I will thank you to drop me a line on the subject, and also what is the state and situation of the frontiers as to Indian depredations.

Your friend and obedient servant,

JOHN SEVIER.

Gen. Robertson.

(342)

Knoxville, 20 May, 1868.

James Robertson, Esq.,

Sir,—

The state of our finances are such that prevents us from holding the Treaty so soon as could be wished for. I am not certain that we can enter upon it before sometime in the next spring. There is no money in our treasury here, and I fear little in that of West Tennessee. I have written to Mr. Crutcher for information but have not yet received his answer. I will now submit my ideas on some of the preparations necessary to be made previous to the Treaty. I have thought that a considerable sum (say ten thousand dollars), ought to be laid out for suitable and well-chosen Indian goods, and have same put up in a store to be seen and viewed the time of the treaty. The other ten to be reserved for other purposes. A part for the purchase of provisions and other incidental expenditures. Another part to be employed and distributed among those that would choose, or be fond of specie. The goods would have a pleasing and alluring effect on the Indians, particularly the females and young men of the nation, who have their weight and influence. Would it not be a good plan to employ some suitable persons (two at least) to find the disposition of the Indians, and prepare them as much as possible, previous to the holding of the Treaty? If suitable persons could be employed on reasonable terms, a few hundred dollars, in my opinion, could not be better expended.

If such should be employed it would be most advisable for them not to be known to each other. I have thrown out these ideas and observations for your consideration. and should they meet your approbation shall be happy. At the same time, if anything otherwise should be thought more advisable by you I will most cheerfully unite in any project that may be thought most productive towards attaining and bringing about a favorable and beneficial treaty.

Colonel Meigs have very politely offered to accommodate us with his house and office, should we think proper to hold the treaty at the New Garrison. I have written the Colonel that on consulting with you and finding that you had no objections, I had none myself. I have also observed to him I expected we should not hold the treaty on the Indians' side of the line. For a number of reasons, I think the Garrison the most eligible place. There will be there a guard, and many other accommodations that could not be so easily procured, at any other place.

Permit me to request your early opinion and advice on the several subjects on which I have written.

I have the honor to be, sir,
your friend and Humble servant,
JOHN SEVIER.

(343)

Bellview, 13th January, 1809.

My dear friend,—

Our political hemisphere wears a gloomy aspect. Shadows, clouds, and darkness rest upon it. Everything portends war. We should be prepared for the worst result. I did very much wish to be at the democratic meeting at Nashville, but other engagements prevents me that pleasure. I fear that the Quids & Feds in that vicinity will attempt to withhold from the President that declaration of public approbation which is his due, and which ought unequivocally to be avowed at your meeting. But I trust there are Whigs enough among you. impressed with this important duty (at this momentary crisis) to prove to others that the people of West Tennessee are grateful, patriotic, & capable of making proper distinctions.

I did hope, that when the proceedings of the administration as respects foreign nations, was brought to open day, that every mouth would have been stopped and every tongue confess the righteousness of the proceedings, but behold, we now hear the opposition cry out, that we ought to declare war against the powers, which have provoked our just indignation, without taking any intermediate steps. Strange & perverse man, prone to do wrong; when once avowed a sentiment, (often will) persist in that sentiment against the most pungent convictions of his wrong. Such is the false pride which drives many on the rocks of destruction. For my own part I don't know what could have been done more for this nation, than has been done. But I think the opposition are influenced by something of the same spirit that the ancient Jews were, the greater the miracles the louder the cry, crucify him, crucify him, their hearts are hardened their eyes are blinded—they choose darkness rather than light—because their deeds are evil. They appear to be given up to false delusions, that they might believe a lie, that they may all be (politically) damned, who believe not the truth but have pleasure in unrighteousness.

I decline accepting the proposal of Gen'l. Smith for the present but in the event of actual war more troops will be called to the field, and in that event should (with that sentiment which I hope will actuate every American) willingly serve in that capacity where I can render the most service to my country.

Now may the disposer of all Good avert the dangers with which we are now threatened. To this end may we all repent for our sins and do our first works.

I am with great respect & friendship

your fellow citizen,

WM. MARTIN.

Genl. James Robertson.

(344)

Washington, M. T., March 5, 1809.

Sir,—

I have lately been called upon by the Postmaster General to inspect the road cut out by you from the Grindstone Ford to the

Pigeon Roost or to employ some other person to do it in case it were impracticable for me to attend to it.

As the business of my office will not admit of my being absent any length of time, I have selected Lewis Winston, Esq., to attend to the business. He will start from this place in one or two days and when he arrives at the agency house in Chickasaw nation it is expected he will forward his report to the Postmaster General. I have not been able to find any trusty person to attend to this business at an earlier period.

I have to acknowledge the receipt of your letter of the 28th of January last—as it related to the road business I conceived it proper to hand it over to Mr. Winston so that you may derive every benefit to which you are justly entitled.

I am respectfully

your obedient servant,

Gen'l. James Robertson.

SETH PENN.

(345)

Knoxville, 11th April, 1809.

Dear General.

Your letter of this day, I, have had the pleasure to receive, and am happy to hear you have made such good impressions on the people among which you have traveled.. I hope you will continue to do so, more and more, as you progress to the commencement of the contemplated treaty to be held. I flatter myself that our joint endeavors will have a happy issue, and you may rely upon it, that nothing shall be neglected on my part. You state that you have a sum yet unexpended in your hands subject to my order. You will please retain it and convert it to, the uses it has been appropriated for, as you know much better than myself how to dispose of it in that way.

I have directed the Secretary to make you out drafts for the use of the Treaty, to the amount of six hundred dollars which you will please call for at his office—pray write me on all occasions how you are progressing.

I have the honor to be Dear General,

Your friend & obedient servant,

Genl. James Robertson,

JOHN SEVIER.

[Signature missing—probably Sevier.]

(346)

Chickasaw Nation, April 18th, 1809.

Friend & Brother,—

We have received your letters and have heard the contents of them; and the nation is very ready to make their grateful acknowledgments to the President for the favor of having the intruders ordered off our land as our breath has been gone for some time, but is now restored to us again, friends and brothers when too near to each other their friendship is not so apt to continue, but when at a distance, friendship always remains firm and secure. We have understood that the States did purchase this land that you name in your letter & we suppose you know as well as us that it was not of the Cherokees, but of the Senecas, a nation who thought to destroy all the white people, & in their wars with the whites lost all their land therefore they had no land to sell. We believe you know as well as ourselves that where Genl. Pickens now lives was formerly their country & the little turkey his party and all that lives below the Lookout mountain have no land they are of the seneca nation & are beholden to red people like ourselves for land to live on. this nation does not consider that it is by the order of the Government of the United States, that they are rather insisted on to sell their land, but rather by the contrivance of some individuals in Tennessee state who urge it for their own private interest.

We have understood that the Cherokees have been persuaded to sell their land by those individuals & in consequence of this there has been four or five of the Cherokee chiefs broke by their own nation on account of their not being true and honest men to their nation.

as to any prejudiced person advising us it is not so, we have friends in the Cherokees that attends their councils and from them we get the information which makes you suppose we are advised by prejudiced persons.

we have long suspected that the Government of the U. State was advised by those individuals to purchase the lands—we never suspected the Cherokees of selling land, and if the Government has purchased it has not been of the right owners, but of people who had no right to sell.

This nation is not disposed to sell land at present—as it is gen-

erally people of a loose bad character that are the first settlers of a country & of course might not be good neighbors—we request that the orders of the late President and Secretary of War may be executed in removing the intruders off our land.

we are your friends and brothers,

CHINUMBE MINGO KING x his mark.

HATTASHINECO x

EMATTAHAMICO x

OKOY x his mark.

MINGO MATTAHA. x

GEORGE COLBERT

WILLIAM MCGILBERY.

Genl. James Robertson.

(347)

Highwassee Garrison,
18th April 1809.

Sir.

By the last mail I received an order from the Executive of the United States to go myself with the detachment to remove the intruders off the Indian lands from Flint River & from the Chickasaw lands; & unless requested by the Chickasaw Chiefs in favor of the intruders between Elk, & the lands surveyed by Mr. Freeman, I shall be obliged to remove the whole without exception. The order for my accompanying the troops will prevent me from being at Nashville as agreed on the 1st of May. This being the case I should be very happy to meet you on Elk river also Maj. Colbert or any other Chickasaw Chiefs. Our meeting there may be of much public service. I shall set out tomorrow or the next day. I shall be in that quarter by the 26th & to the end of the month of April. I hope to see you—also the Colberts—At any rate I hope to see you—Several objects in which you & myself are concerned on public account may be forwarded, and difficulties removed by our meeting.

I am very respectfully

Your obt. Servant.

RETURN J. MEIGS.

Genl. James Robertson.

(348)

Hickory Flat,
1st May 1809.

Sir,—

I am now here removing the intruders on the Cumberland in this quarter—Previous to my leaving Highwassee I wrote you that I could not meet you and Major Colbert at Nashville as had been agreed on, having received express orders to attend personally to the removal of the Intruders on the lands of the Cherokees and Chickasaws; this must excuse me from meeting you at Nashville. I wish very much to see you here also Major Colbert; because my orders are to remove the intruders off the lands of both nations; however if I can have the consent of the Chickasaws expressed fully in favor of letting the settlers remain this year on their lands—it will gratify me and be of incalculable advantage to those settlers. They place the strongest hopes in your exertions for them.

I am respectfully,

RETURN J. MEIGS.

General Robertson.

(349)

Highwassee Garrison,
25th June 1809.

Sir,—

I now wish transmit to you the *Elucidation* of the convention made on the 7th of January 1806. I had carried it with me on my late tour hoping to have had the pleasure of meeting with you. You have already been informed that every effort in favor of the settlers on the Chickasaw lands proved abortive. I much regret to be obliged to compel them to remove because they are not of the general character of intruders. They were sensible that all that could be done was done and they cheerfully complied with the requisition to remove. Colbert's conduct with respect to those people has been marked with unsteadiness and with duplicity, because he had as they declared to me, frequently expressed himself satisfied with their stay on the East side of the Elk.

This will be handed by the Glass who with the Turtle at Home is preparing to make you a visit.

I removed 201 families off the Chickasaw lands and 83 families off the Cherokee lands—not less than 1700, or 1800 souls. These people bear the appellation of intruders but they are Americans. our riches and our strength are derived from our citizens; in our new country every man is an acquisition—we ought not to lose a single man for the want of land to work on. A disposition to migrate seems to pervade the whole Eastern part of the U. States; it acts as uniformly as the law of gravitation, and can no more be restrained until the shores of the Pacific Ocean make it impossible to go farther. Within seven years stations and settlements will extend to the mouth of the Columbia river.

The 4th of July will be celebrated this year with uncommon satisfaction. The prospect of war has vanished and our country stands on honorable ground. Our late and present administrations are identified in principle—they can look back with satisfaction and forward with pleasing anticipation.

I am very respectfully

RETURN J. MEIGS.

General James Robertson.

(350)

Knoxville 15th July 1809.

Sir.—

Yours of the 6th instant has come duly to hand, and I am glad to hear that you are likely to succeed in being accommodated by the Treasurer. Agreeably to your information of the state of the Treasury that further advances can be made, I have forwarded you two more warrants of two hundred and fifty dollars each—I hope what have and will be received, will answer the intended purposes as to the outline of the negotiation.

Col. Meigs have recommended Messrs. Lyon & Clark as suitable characters to furnish provision etc. etc., they being already provided with the necessary articles. On reflecting that the treaty is to be held at a public garrison and that we shall be under great obligations to the agent of Indian affairs, who is to act conjointly in the treaty, and entitled to direct the furnishing one half of the issues, I have thought it prudent to

accept of the offer, provided you have no objection. Those persons supply the garrison and of course must be better prepared for such a purpose than any new hand who could not do it as cheap, which alone is an object—I will be with you either first or second day of treaty.

I am very respectfully,
Your friend and obt. servant,
JOHN SEVIER.

Brigadier General Robertson,
P. S. Please write me when this goes to hand.

(351)

Knoxville 6th of August 1809.

Sir,—

I have received your letter of the 25th of July in which mentioned your intention of setting out for the nation on your way to the Treaty. I am sorry to inform you that I have just received a letter from Col. Meigs enclosing a copy of a letter from the Black Fox, who states that the Indians cannot meet us before the 25th of September. what is the cause of this disappointment I am at a loss to know, but have my suspicion which I believe is well grounded, that some person inimical to our country and also unfriendly to myself is the cause—

I am far from censuring Col. Meigs on the occasion—I believe from what I can learn it is done in order to frustrate a favorable Treaty, to prevent my attendance also, because it will be inconvenient for me to attend in the time of the Assembly sitting, as I am chosen senator for Knox county—It will be necessary for me to be at this Treaty, having made arrangements that must be attended to, which I trust will be very useful to the State.

I have written to Col. Meigs that it is my opinion we cannot attend, as they have put off the Treaty, before the last of October or the first of November, and I am of opinion it would be best to put it off until the last of November—I have been constantly of the opinion that the longer the Treaty could be put off the better, for the Indians are becoming more and more attached to the west side of the Mississippi and are constantly

going off to that country, and of course less attached to their own; Many more things I could name were it necessary but you are as well acquainted as myself or perhaps much better. I shall await your advice and shall be glad to hear from you as soon as convenient.

I am with all due respect

Your most obt. servant,

JOHN SEVIER

Gen'l Robertson.

P. S.—In Knox county Mr. Blount got 1024 votes, Cocke 60; in Blount county Cocke had 865 votes, and Blount 121. The other counties I have not heard from, but it is said by some that Cocke will have a majority of two or three thousand in East Tennessee.

(352)

Highwassee Garrison,
1st September 1809.

Sir,—

I have received your letter of the 20th of August on the subject of the pending treaty with the Cherokees. The time you mention the 30th of September perfectly agrees with my opinion as to the time best to effect the business with the Cherokees, because they will then have all their crops secured, their minds will be free to attend to the business. It will also comport with the wishes of the Governor who by that time will have done with the business committed to him as a senator in the legislature. It will likewise probably be the best time for my attendance, as I am directed to superintend the treaty in behalf of the government? between the State of Kentucky and the Chickasaw nation for lands in the western part of that state, I presume at the mouth of the Tennessee on the west side. I am to receive notice of the time when to meet the Kentucky commissioners from the Governor of that State. I have already informed Governor Scott that I presumed our treaty here would be over by the 10th of October and I therefore expect the time he will fix on, will be some time in October, or perhaps by the first of November; in such case the time of holding the treaties would not interfere with each other. I expect by the next mail to receive notice from Governor Scott of the time and place, and should he fix the time so as

to interfere with the time you have mentioned the 30th of November. I will, if agreeable to you, have the time for meeting here put off a few days, so that all circumstances shall combine to the wishes of all parties. There will nothing be lost by having the time of our treaty put off if required to some time in December. If you and the Governor will leave this to me I will do the best I possibly can to arrange the time so as to produce the desired effect. As soon as I receive notice from Governor Scott I will write to you on the subject.

You observe that Governor Sevier seems to suspect that the Cherokees putting off the time of meeting here was done by some designing view to interfere with his convenience to attend. I do not think that any person, either white or red, have had any such views and if they had it will now be best that sometime should elapse after the Cherokee council is over before we meet; because if in this council they should take any measures to oppose the sale of land, a little lapse of time will have an effect to lessen their objections for their minds are never permanently fixed, but are always vibrating like the pendulum of a clock—I shall write to the Governor this day in substance what I now have written to you. . . . If the Governor has not appointed Mr. Link to act as Secretary my son would be well pleased to do the business and thank you for mentioning him in your letter.

I am very respectfully,

RETURN J. MEIGS.

Gen'l Robertson.

(353)

Knoxville, 2nd September 1809.

Sir,—

Your letter of the 17th of August came duly to hand, and I am well satisfied that you think the treaty may now be postponed until the first of December. It has always been my opinion that the longer the treaty could be put off the greater would be the success; the reasons will naturally suggest themselves to you.

I did most cordially wish that the treaty could be held in time for the Assembly to have acted on it, as it cannot, and the Indians first postponed the meeting themselves I am decidedly

of opinion that it will be good policy to prolong the meeting until the first of December and I will write Col. Meigs to that effect. If the treaty be postponed until that time we shall as you justly observe get rid of the company of a number of jealous worthless fellows, who will be then out hunting and their company ought to be avoided as much as possible.

Would it or would it not? be advisable to procure some Indian goods for the use of the treaty, perhaps about one thousand dollars worth. I have thought it might be necessary and answer a good purpose; however, I shall act as you may think proper to advise.

Your friend and humble servant,

JOHN SEVIER.

Gen'l. James Robertson.

(354)

Nashville, 16th June 1810.

Sir,—

Your note made payable to Deaderick & Somerville and discounted in the Nashville bank falls due on the 20th of the present month; it will therefore be necessary that you pay the cashier the amount mentioned noted in the notice, or put in another note for discount on Tuesday next for \$482.16 which sum includes the bank interest for sixty days. If you do not attend to this notice Deaderick & Somerville will have to pay the demand of the bank which will subject them to much inconvenience. I hope it will be in your power to attend on Monday or Tuesday next.

Respectfully,

GEORGE N. DEADERICK.

Gen'l. James Robertson,
Richland Creek.

(355)

Knoxville March 8, 1810.

Dear Sir,—

Col. John T. Smith, who left the federal city the 19th of last month arrived here the evening before last and says that Messrs Anderson & Whitesides were to wait on the President the next

day on the subject of our application for an exchange and that he Col. Smith believed the answer would be favorable. A letter from Col. Meigs the other day informed me that Tallowtisky with a number of families descended the Tennessee a few days ago on their way over the Mississippi to settle. Accompanying this you will receive a Knoxville paper which has a long account about the Mobile country I have sent a paper to each of the printers at Nashville and to Clarksville and Carthage presses also . . . We have nothing under the head of news here . . . No advices yet received from England in reply to the request that the British recall their minister Jackson It would afford me much satisfaction to hear from you often during my continuance here . . . the trade of governing does not suit my genius as well as retirement I am tired of it. I am with perfect respect and sincere regard,

Yours,
WILLIE BLOUNT.

Gen'l. James Robertson.

(356)

Knoxville August 15 1810.

Dear Sir,—

Your favor of the 24th of July last has come duly to hand. I have considered the contents and much approve your ideas of keeping alive the treaty . . . I have been at the Highwassee Garrison twice in the course of this summer and occasionally fell in with some of the people of the Cherokee country, who seem anxious to hear about the Treaty. I find from various information they wish to remove over the Mississippi and will most certainly do so if not prevented by the Government. Two years will carry them chiefly off, which will be an effectual treaty as to Tennessee, as well as a cheap one. The Indians are becoming more and more in love with that new country and it is decidedly my opinion that they cannot be restrained any great length of time from removing to it. I am frequently seeing some of the upper Indians and have no doubt they will continue to favor our views. I shall most cordially act in concert with you and wish you to communicate freely every idea that strikes you on the subject. Some time in the next month I expect to pass down by

the Lowrys on the shoals, probably in the boat with Col. Purdy when the soldiers go down near the mouth of Elk to erect a new garrison. I should be glad then to meet with you if convenient and will write you the time of my setting out.

Your friend and humble servant,

JOAN SEVIER.

Genl. James Robertson.

(357.)

Knoxville April 17th, 1811.

Dear Sir,—

When I see Governor Sevier will answer yours of the 20th of March relative to a meeting of the Commissioners on the subject of the treaty. You have very satisfactorily accounted for your delay in acknowledging the receipt of mine of the 8th of December, which I had feared had miscarried.

The more I reflect on the subject of that letter, the more I am satisfied with the correctness of the opinion expressed therein.

I have reason to believe that measures are in a train of execution at the right place to effect the several objects mentioned in the representation made to the President by our senators and representatives; and the hope is entertained that they will progress as fast as circumstances will admit. The particular state of the arrangement now; or at what time they will be carried into complete effect I know not, but I hope without loss of time—the importance of those objects to us is very great, and of course the more immediately they can be effected the more the best interests of this State will be promoted.

I have a high satisfaction in receiving your assurance, that I possess your confidence in sufficient degree to entitle me to your suffrage at the election next to be held for chief magistrate of this state and for the expression of your belief, that it is the wish of your neighbors that I should offer for that important trust, I thank you; for their confidence I feel myself under greater obligations to them than I will ever be able to discharge—my desire for the welfare of the people at large, and for the prosperity of the State, is second to no man's; but have not the vanity to suppose that I could in any great degree promote them by any exertion of mine; however, if my fellow citizens

who have the constitutional right to select one from among them to fill that office, may be of opinion, that my best exertions to effect those objects can avail them any, the trust when confided to my care would be diffidently accepted, and my best exertions to effect them I know would never be withheld—a rule with me has been uniformly observed to accept office from a sense of respect felt for those who have conferred it on me; but as my attention has been, by inclination, mostly directed towards objects of private pursuits, have felt my incompetency to discharge the duties expected to be performed by a public agent as they should be; and in such case I count on my desire to do right, aiding me in the execution—you are to understand that I never made any calculation on being in public life at all, and unless made over again never shall think it desirable to have public relations in charge altho they are laudable employments—The public agent may do his best and effect but little permanent good—He may do his duty and be charged with a neglect of it; this however is only a public task on him to bear—he may to-day effect much which may be for the day approved, and to-morrow it may be thought wrong and done away to his entire discredit; in a word public duties are hard to perform, and when done never receive the stamp of permanency, and in the nature of things it is not to be expected. It is not so with well-regulated private pursuits; they may be brought to produce at least satisfaction in proportion to their near approach, to what may be compared to something like mathematical certainty, for which reason I have uniformly preferred, as a matter of choice, to be engaged in them.

I have the honor to be with perfect respect and esteem,

Your obt. servant,

WILLIE BLOUNT.

Genl. James Robertson.

(358.)

Knoxville, May 5, 1811.

Dear Sir,—

Governor Sevier's letter of the 2nd instant in reply to mine of the 10th of April which informed him of your reasons of the postponement of the treaty with the Cherokees, says, that he coincides in opinion with you fully—When the President may

order a treaty to be holden with these Indians to effect an exchange of lands, which he will probably do before long, it will be the proper time for us to treat,—at this time cannot say when I suppose he will provide for holding such treaty, but shall advise you of the time according to the information I may hereafter obtain relative thereto. I am very respectfully,

Your obt.. servant,

WILLIE BLOUNT.

Genl. James Robertson,
Commissioner &c Nashville.

(359.)

Tennessee June 26, 1812.

Sir,—

I received your letter and the talk you give which I never expected, my old friend and father. I am over joy with a word you are to be the guide of our nation as you have been the life of the nation and every chief of the Chickasaws I make no doubt but will feel the same as I do, I hope everything will prove satisfactory in every council. When you go by my house I will take my horse and ride to the king houses and the agency with you.

I am dear sir,

your old friend,

GEO. COLBERT.

Gen. Jas Robertson,
Near Nashville.

(360)

Knoxville July 28th, 1812.

Dear Sir,—

Sometime since I applied to the Sect'y of War for a company of United States Rangers to do frontier duty on the settled part of West Tennessee, and to range between Tennessee and Mississippi rivers within the chartered limits of the State of Ten-

nessee; to guard that frontier, and as far as practicable cut off or check the two frequent intercourse between the Creeks and the Northern Indians on whose friendly disposition towards the United States and towards us no reliance has been, or could by me for some time past be placed, and so far as their conduct furnished the proof of their hostility, let the cruel, barbarous, and unprovoked massacre at the mouth of Duck river by the Creeks on our citizens and the many wanton murders north of the Ohio testify— He authorized me to call Capt. David Mason's company of rangers who had just made a tender under the act of Congress into actual service for that duty, and as he gave no particular instructions and in fact said nothing further about where they were to range, or where they should not, I did under all circumstances immediately call that company into service, and those circumstances as they related to the security of the people not permitting delay, I gave him instructions to range on that frontier and between Tennessee and Mississippi rivers within the chartered limits of this state, and forwarded a copy of my instructions given to Capt. Mason on to the Sect'y of War and observed to him that I had informed Capt. Mason that he would act under my orders until the Sect'y of War might otherwise direct—Since which the Sect'y of War has not otherwise ordered. These are facts and circumstances which I presume you had not any knowledge of before this as I am this day informed that Capt. Mason has received a verbal message from you as agent of the United States to the Chickasaws, on which appointment I tender you my congratulations, that he was not authorized to range on the country between Tennessee and Mississippi rivers—Under all circumstances and for the reasons above mentioned I have of this date written to Capt. Mason to continue the range under my former order until otherwise ordered by the Sect'y of War, as he commands a company of rangers raised under the act of Congress, but to treat all Cherokees, Chickasaws and Choctaws as friends that he may find there, unless the contrary would appear to be proper from their conduct, confining his movements within the chartered limits of the State, over which our jurisdiction extends and of course over which the Executive will feel himself bound on all proper occasions to exercise his authority, but more especially will it be exercised when the object is to afford protection against

Indian depredations to the inhabitants of the State. I am with
sincerety and respect,

Your obt. servant,

WILLIE BLOUNT.

Genl. James Robertson,

Agent of the United States,

Chickasaw Nation.

(361)

Oktibbeha Aug. 2, 1812.

Dear Sir,—

I arrived at home this morning and found your letter of the 21st of July. I have just returned from a council that was held at Itala on the 29th where Mr. Dinsmoor the chief and the principal men were present, respecting the murder that Capt Mason and his party committed on a Choctaw on the waters of the Sandy River in the Chickasaw country. When arrived at the place I was informed that on the 22nd the Brother of the murdered Choctaw had retaliated the death of his brother by killing a solitary traveller by the name of Thomas Haley near the town of Hoolatusha unbeknown to his family and the chiefs of this nation, the chief expressed I thought a sincere regret at the headlong folly of an individual (who is but a stripling of a lad) and earnestly desired W. Dinsmoor their agent to make it publicly known that this is not an act of hostility approved by the nation, against the U. S. with whom they always have been, and still wish to remain at peace. To evince further their zeal to secure the confidence of the U. S., Orders were given out & a party appointed to communicate to some banditti of Muskegee of an equivocal character (who have been for sometime hovering on the eastern settlements) to return immediately to their own country. The orders were executed the 30th July. The nation was generally represented at the council, even from the six towns to the Hiyoowassies and the meeting was most orderly and sentiments of friendship and confidence in our government more unanimous than at a former period.

We received a long and friendly talk from our neighbors the Cherokees who wishes very much to make up all old grudges that has been for several years, for they sent tobacco and white beads as a token of friendship and peace, the Choctaws smoked

the tobacco and expressed their wish to be at peace with them, and in their return answered the Cherokees talk. they are to meet near your agency and the agent of the council Mr. Dinsmoor wishes you to attend the talk. the 15th of September is appointed for the two nations to meet. Let me hear from you often it will afford me pleasure to execute any business that you may command me public or private.

I am respectfully,

Dear Sir,

yr obt. servant,

JOHN PITCHLYNN.

Genl. James Robertson.

(362)

Genl James Robertson, and the corps of Invincibles you have the honor to command.

The tender of your services at the serious crisis, when our government has warned us to be watchful, is honorable, not only to yourselves, but the country in which we live—It is interesting and grateful at the present moment—The Executive of the Union, in whom we all have confidence, will not only receive it with pleasure, as a mark of attachment to the government and laws; but the faithful historian of passing times, cannot avoid noticing it, as an instance of patriotism, to be found only in republics; for their support they rest on the opinion and affections of the people, and above all governments, union of sentiments and action is necessary.

Though all citizens must be sensible of the inestimable blessings we enjoy, yet your generous expressions of them, has filled us with emotions of ardour as extraordinary as the occasion which gave birth to them—May all men cherish such sentiments is my sincere wish—Age, in a government of laws and freedom, is entitled to a claim of patriotism, but it is equally entitled to the highest respect from youth—The frost of age and experience is as necessary in the moral as in the physical world. The dissipated attention of men is collected, and the natural relaxation of youth invigorated—Hence our union of sentiments in the position that all men ought to contribute their mite, in some mode to the public good—But when age, in its

wisdom, bounds beyond its ordinary limits of Counsel and admonition, into the hardy field of exertion! My God! how can I express my sensation.

Age, from the immutable principles of the laws of Nature, is entitled to an exemption from continued bodily exertion; but should the danger which threatens our country require your services in the field, it is hoped that the occasion may be temporary, and that you will only be wanting in the field of battle, where your years and meritorious services will be duly considered—There your commander will know that your former services, presence, and bravery, will be equal to a regiment of men;

Accept the thanks of the government and of your General, to whom you have so generously offered your services, with the sentiments of my grateful respect.

ANDREW JACKSON,
Maj. Genl. 2nd Division.

(363)

Washington 5th Jan. 1812.

My dear Sir,—

Your friends here have obtained for you the superintendency of the Chickasaw nation in the room of Mr. Neely. As you did not communicate to me anything on the subject, I am not able to form a certain judgment, whether or not you will accept the appointment, but knowing as I do that you never refused to serve your country when necessary to do so, I entertain hope and desire you will certainly at this momentous crisis not refuse the confidential appointment reposed in you, as I am very certain we shall again have a very trying time—We have been in conclave for the last five days, on matters of the utmost importance to the nation, and very important questions have been finally decided on by the House of Representatives. The affirmative 79; negative 49. The bill is now before the Senate—pray write me on the subject of Indian depredations so soon as your convenience will permit you—It is believed that an adjournment will not take place before the first of next month—There is not any prospect that the British mean to relax in their aggressions—I was with the secretary of War today, who in-

formed me that your instructions have been forwarded—Your friend very sincerely,

JOHN SEVIER.

Genl. James Robertson.

(364)

Chickasaw Agency, August 25th, 1812.

Sir,—

I acknowledge the receipt of your Excellency's letter under date of the 28th ult. by mail and I strictly observed the contents. On my way to this place and on the south side of Duck river I passed Capt. Mason's camp where there were only two men, one of them I knew and thought him a man of some intelligence, a Capt James Wilson, he told me that Capt. Mason was about to set out on another scout on the south side of Tennessee river; as I had never learned by what authority the Captain ranged so far in the Chickasaw lands, nor from whom he got his appointment further than by his return styling himself an officer of the United States; I did inquire of Capt Wilson whose orders Mason acted under; he told me he believed yours. I then told him my opinion as a private person (and by no means under any authority as a Chickasaw agent) that I would advise Capt. Mason if he had no authority in writing from any superior officer to get one before he crossed Tennessee again; that I did believe our state officers had not power to order troops on friendly Indians' lands otherwise than in pursuit of invaders until I got your Excellency's letter and information; will you be pleased to receive my most hearty thanks for the pains you took in giving me such information.

The king and chiefs of the nation direct me to request you in the most pressing manner that no more rangers go on their land until the hunting season is over; that their hunters will be out soon between the Tennessee and Mississippi rivers; that no enemies shall pass through their country with an intent to injure their Brothers the whites, and that if they find any such on their land they will either put their own law in force against them or deliver them to the whites to deal with as they choose, and that it will be much more in their power to discover bad Indians than the whites; and should you permit any rangers to

go on their land, that you have some good experienced men that will not kill their friends without notice, that it might as well have been a Chickasaw as the Choctaw that was killed, when there were only three of them & two of them asleep and a large body of whites which might have given notice—this is as near the tenor of their request as I can recollect; the Chickasaws are very desirous it may be in their power to punish the Creeks under their own law. I do believe that there are no sections of the United States more unanimous in supporting the laws and government of the United States than the Chickasaw people are. I hope to have the pleasure of seeing you in Nashville the last days of Sept. my berth is pleasing to me, it would be troubling you to say any more on Indian prospects as you can judge from the proceedings here and the Creek letter to this nation will be published in the Nashville papers; I had a man with me a few days past who was with Col. Hawkins a month and says the Creeks are very much alarmed; so much for Genl. Jackson's campaign.

With high consideration I am
your Excellency's
most obt. servant,
JAS. M. ROBERTSON.

His Excellency
Governor Blount.

(365)

Franklin 1st, March 1813.

Sir,—

You will be surprised to learn that Leroy Pope, under a Cherokee title has gotten possession of a cave at the mouth of the Elk. When his permission was obtained from the Secretary at war, or upon what suggestion, I have not been able to learn; but I imagine it to be an old one, clogged with some conditions, which he obtained winter before last, through the interposition of Mr. Bibb from Kentucky. This had been presented to the commanding officer at Fort Hampton before, who then refused to let him have possession under it; but has since I presume thought proper to change his opinion.

Since you were here Mr. Eaton went to the cave and was then told by the officer at the Garrison that if you would grant us a permission saying therein that you were authorized to grant it, he would regard it, and suffer us to take possession under it. If you feel yourself authorized to make such a statement in your permission (and I think you are) you will oblige us greatly by sending such a one immediately.

We have been waiting all this winter to get a permission from the Secretary of War, founded upon the documents which we forwarded to him from you, but he, I imagine, was so perplexed by the war which he found himself unable to manage that he had no thoughts but how to extricate himself from a situation in which his vanity had placed him, but which nature had not qualified him to fill. Be the cause what it may, he entirely neglected us; and what is still more strange, Mr. Grundy has not thought proper to return an answer to several letters which have been written him on the subject.

By the last mail but one, I wrote to the present Secretary, Mr. Armstrong informing him of the nature of our claim and referring him to the documents which had been forwarded to his predecessor. He, perhaps may condescend to attend to us; but such a certificate from you, as I have above suggested, if you feel yourself at liberty to grant it, would probably supercede the necessity of any permission from him. But whether you think proper to grant it or not, or to attend any further to our claims which we have so negligently prosecuted ourselves, it seems to me to be absolutely due to the nation for whom you are the agent to cause to be removed, as speedily as possible, those who have intruded upon Chickasaw rights, under a spurious Cherokee claim. Surely a letter from you to the commanding officer of Fort Hampton would be sufficient for this purpose; but if it should not a solemn appeal from you and the chiefs, to the government of your country, could not fail to be listened to and regarded. Pope and his associates are now working the cave, without permission from the only nation authorized to grant it, and without paying rent to either of those who claim it, and if in spite of these facts, and all remonstrances, government will tolerate this, it is perhaps not too hazardous to say that it ought not to be tolerated.

The foregoing observations I respectfully submit to you,

knowing that you will appreciate them correctly and fearlessly proceed upon the subject to which they relate, as you may deem right. I beg that you will write me by the next mail, or as soon as may be convenient, informing me of the course you intend to pursue, and of that which you would recommend us to pursue. Delay may prove dangerous; for in a little while Pope will have rendered the object we are contending for not worth a contention.

Very respectfully,

JOHN REID.

Genl. James Robertson,
Chickasaw Agency.

(366)

In Congress 25 February, 1813.

Dear Sir,—

In this letter I shall not attempt to give you a full notice of all transactions relating to the public—I have just seen Genl. Winchester's letter to the secretary of war; himself, thirty-four officers and about four hundred prisoners was then at Malden—It would be painful to relate the particulars of that fatal defeat; suffice it to state, that the unfortunates had all the cruelties and barbarities exercised on them that savage cruelty could inflict.

Our little Navy continues to be successful and really performs prodigies of valor—The Constitution Frigate commanded by Bainbridge, have recently taken the British ship of 50 guns called the Java, killed sixty and wounded 170. There was a Lieutenant General on board, a number of other officers on the way to the East Indies. The cargo was very valuable a great part of which was put on board the Constitution, but the Java was so shattered and riddled that it could be scarcely held above water until the prisoners could be taken out, which amounted to near six hundred—The Constitution arrived safe into the port of Boston. Captain Bainbridge had only nine men killed, and twenty-five wounded. Our navy astonish the whole world, and promise fairly to rival all that ever fought on the watery element. Our navy have obtained four or five victories over the British which surpass anything ever happening to that nation before. I am

much pleased with your friend Grundy, he is a very useful and active member and appears to have his district and country's good as much at heart as any man living. I don't wish to be interfering with elections out of my own district, but beg leave to name to you that it is my opinion you will not be better represented should you change him for another, and permit me to name to you (in confidence) that it would be gratifying to me would you personally attend at the time of the election as I am informed he will meet a strong opposition, I fear very much the frequent success of the northern Indians will have some influence over our southern neighbors, but I know I need not mention this to you, you being so well acquainted with those people and will take your measures accordingly.

I am dr. sir,
Very sincerely your friend
JOHN SEVIER.

Gen'l Robertson.

(367)

Big Buffalo, April 21, 1818.

Dear Sir,—

I enclose to you a few lines to inform you that I have been trying to find out the principle intruder that is on the land of the Indians. I have also sent a list of their names on to Mr. David Dobbens I believe that he is not willing to return them for fear of some private injury being done him therefor the business lies just so; yet I hope that you will have something done with the intruders for they appear to be settling again on buffaloe as fast as ever Daniel Matthews I believe to be the principle man that is the great cause of so many moving back; if he was taken away there might be some more satisfaction than what is for they are stealing and pilfering about so that it's impossible to keep anything for them I also wish to state to you that Mr. Thomas Carter has warranted me for the cabin that he built on buffaloe I wrote to know if it comes under the jurisdiction of a magistrate or not for I am not willing to pay for anything that I never contracted for I wish to know or get answer by the next mail.

I am with respect yours etc.
JOHN McCLEISH.

(368)

Oktibbeha April 27th, 1813.

General James Robertson U. S. agent to the Chickasaws

Dear Sir,—

Concerning our disagreeable situation at present that is to say on acct. of the Creeks being likely to be troublesome in

our country I have been talking to Mr. Dinsmoor on the subject and likewise highly recommended what a good thing it would be for to raise a few companies of Choctaws and Chickasaws for the protection of our frontiers and likewise the whites travelling through our country I am strickly of the opinion that it would be the occasion of putting an immediate stop to their Evil Design taking this to consideration that they would have to fight the red people Like themselves as they were in Defence of the Whites and untill at lenth it would become a national affair and prove the ruin of the Creek nation which I think would be the means of putting an end to their further proceeding on that point. Dear Sir I would be very happy if you think proper to write to the Board of War on this subject Mr. Dinsmoor which is capable of representing the whole of the matter and has promised for to use the utmost of his endeavors to accomplish the desire as within stated your agreeable compliance sir on the within subject will much oblige your

Very humble servant,

JOHN PITCHLYNN.

Gen'l. James Robertson.

(369)

Oktibbeha April 27th, 1813.

Dear Sir,—

On the 24th of this instant I arrived home and found my family much alarmed and confused, as it had been reported that there was a party of Creeks set out for this plase or to kill white people on the Road; on the night of the 25th their was heard the firing or report of five or six guns neare this plase—the morning of the 26th I sent out spyes which returned at night without seeing or finding any Indians in the woods, The spyes discovered where some hogs had been run and it is supposed that the gun was fired at the hogs in there beds for to make provision and perhaps they may change their route by finding us on our gard all though we are but three or four in number at this time.

I shall apply to the chief for four more men if I should discover or hear of any passing through up towards the Columbian road I will send you an express as soon as possible and if you should make any discoveries I will want you to do the same.

I am dear sir yours respectfully,

JOHN PITCHLYNN.

General James Robertson.

(370)

On the 10th of October 1813 crossed Tennessee river bound for Huntsville, M Territory in company with a Mr. Absolem Hendrick, and Humphrey Hendrick; the next day October 11th arrived at the widow Hayes old plantation where we were fired on by about twenty Creek Indians as I supposed as I did not see any of the persons that fired on us, this happened about twelve o'clock in the day, these people were secreted in the weeds and high grass. Absolem Hendrick and Humphrey Hendrick were ahead and myself behind. Absolem Hendrick was shot dead off his horse, Humphrey was also shot but turned his horse back and come about 50 yds and fell off his horse on the ground, got up and staggered to one side of the road; by this time both of the horses got ahead of me and I drove them with all speed to Colbert's ferry where I arrived after dark—After these two men fell off their horses the saddlebags must also fell off as they were not on the horses when they came by me. As to the quantity of money they had I know nothing about, the old man Absolem had a note of hand on a man in the M. Territory for upwards of \$300—As to the quantity the other man had I know nothing about—I shall by the consent of Maj. Colbert ride Absolem Hendrick's horse as mine is not able to travell. I shall keep him safe and deliver him to the proper owner on application.

My father John Thompson a native of the Cherokee nation lives or did live in 20 miles of Huntsville about two years ago, I am not positive he lives there yet—My own mare and Humphrey's horse I shall leve with Maj. Colbert. Humphrey's saddle and bridle also. As I lost my saddle and bridle immediately after we were fired on I shall also take Absolem Hendrick saddle and bridle which I hold myself accountable for. The manner in which I lost my saddle and bridle was this. After I got about 2 hundred yards from where we were fired on I got off my mare, she being lame and very low in flesh, put my saddle bags on Absolem's horse and came on—I saw my saddel fall off but had not time to take it up.

This is a true statement of the case.

Signed

CHARLES THOMPSON.

(371)

Nashville 22nd Oct. 1813.

Dear Sir,—

Altho unknown to you I am induced by particular circumstances to trouble you with this letter. Being a stranger in this state and unacquainted with the forms which it might be

necessary to use were you to be formally addressed in your official capacity, you will be so good as to make the due allowances, and excuse the liberty I take in addressing you as a fellow citizen.

Alexander Brevard whose son and agent I am, owns a tract of land on the Tennessee river about ten miles below the mouth of Duck river—In this tract is situate the parcel of land upon which stands the town of Reynoldsburg, the said town approaching within a few rods of the river bank.

It is said by persons who ought to be well acquainted with such matters, that a road from Natchez by way of Reynoldsburg would be much more convenient to a great number of people (perhaps one half) who trade down the Mississippi and return by land than the present road by Colbert's ferry. This fact renders the people of Humphreys county extremely anxious that a road should be opened to cross the Tennessee at that point. As such an arrangement might also be somewhat, perhaps considerably, to the advantage of the owners of the land around this town and along the river It is natural also to suppose that I am not indifferent to this subject. And to endeavor to have this business carried into effect is the reason of my now addressing you.

You will sir greatly oblige me by instructing and aiding me in this business. If you can benefit a number of your fellow citizens by affording them a nearer route to their homes from a distant market, thereby alleviating the toils and anxiety of a fatiguing journey without injuring the people over whom you have in some measure the guardianship and protection, I feel confident sir that you will proceed with zeal and alacrity in doing so. And the case under consideration I take to be one of this kind.

My purpose is to be perfectly fair with the Indians. They own one side of the Tennessee river and I own the other—it is therefore reasonable that each of us should have a share of the profits arising from any ferry which might be established between our respective possessions. Or if they should look upon it as troublesome or not safe to attend to a ferry at such a distance from the body of their settlements and at a place where the whites are so hostile to Indians I would agree (provided the sanction of the general government can be obtained) either to purchase some land for a landing place on their side of the river or to pay a stipulated salary after the ferry shall have become productive.

You will, however, I feel assured sir from your general character—act a friendly part towards me as well as a fair one to the Indians. I am a very young man—entirely a stranger in this State, being but a few weeks from N. Carolina—and unacquainted with and averse to practice the chicanery and fraud which too frequently marks speculations in this State—I wish to

act with candour and good faith by the Chickasaws, and it is desirable to me that we should understand each other as soon as possible.

If you will sir be so good as to inform me of their sentiments on this subject—whether they are willing or unwilling for the proposed road and what would be their stipulations concerning the ferry and also give me your directions how I am to proceed to bring this business to a conclusion one way or another, you will sir confer an obligation for which I shall feel grateful.

I am unwilling sir to trouble you farther, but I have been informed that you were with Henry Rutherford and others at the time those tracts of land on the Tennessee river near to and below the mouth of Duck river were located. You will lay me under additional obligations if you will take the trouble when you write to state whether you distinctly remember that the concluding corner of John B. Ashe's and the beginning corner of Joseph Brevard's tracts were one and the same as called for in the Platts and as John Tate will further testify by oath if necessary. My reason for making this request is that Henry Rutherford wishes to interpose a tract of land of his own between the two tracts mentioned (having sometime ago entered it as vacant land) contrary to the calls of the grants and platts, and contrary to the manner in which the other tracts located at the same time were laid off.

By attending to these requests,
You will greatly oblige,

Sir
your friend & Hl sr.
JOHN F. BREVARD.

General James Robertson.

Be so good as to direct to Nashville if you favor me with an answer.

(372)

Oktibbeha Dec. 1, 1813.

Friend & Brother.—

I am going to address you with a short friendly talk, which is also intended for my brothers the Chickasaws with whom we have always linked hands. When I left my house for this place I heard there was a small war party starting for this place and my heart was full of joy in the hope of meeting them here. When I arrived here I learned that the party had been called back by their head men and it is always the duty of men to obey their chiefs.

I have heard also that you have received ammunition from our white brothers I hope you will not let it lay idle long but use

it as I am going to do mine immediately. It may be urged that we are not ready on account of our people being scattered out—it is the case with my people, but the way to make them in a hurry to move is to commence the war as I am going to do, for if we wait six months all will not be ready—If the war party had come I had something to say to them which I will not mention now.

I am your friend and brother,
TOOTE MASSATABBE
(Mingo)

Genl Robinson and the Chickasaws
delivered tro the subscriber as Interpreter for the Choctaws.
JOHN PITCHLYNN.

(373)

N. Carolina
Fayetteville 10th
February 1814.

Genl. Jamies Robertson,
Dear Sir,—

Your kind and very much esteemed favor dated at Nashville November 20th 1799 in regard to the lands you surveyed for the late Matthew Ramsay was duly received. The tract on Stones river which was taken away by prior rights I have sometime past obtained warrants for and disposed of them, the other tract of 3300 acres on Obion river was surveyed by you for Mr. Ramsay assignee of John Gray and Thomas Blount September 28th 1785. Johnathan T. Robertson and William Bush Chain bearers; it is in respect to this last mentioned tract I am desirous of obtaining from you some information. In the letter you did me the favor to write you informed me that it was excellent land but lay in the Chickasaw country; now I shall be very much obliged if you will give me the information you possess relative to this tract; can the beginning or other corners be identified? will you or either of the chain bearers shew them on satisfaction being made for trouble? are the chain bearers living? have they families and in what part of the country do they reside? is the state of the Indians such as will with safety permit a view being had of the land? It is my intention to go or send a man as soon as it can be done with safety to, identify this tract.

You will in a particular manner oblige me by writing me an answer as soon as possible and direct your letter by mail at Fayetteville N. Carolina I would greatly prefer paying the postage than trust to a private conveyance. Your prompt and early attention to the above will add to the favors rendered.

Your friend
& most obt. servt.
B. WILLIAMS.

(374)

Fort Pickering Feb. 13, 1814.

Dear Sir,—

On my arrival at this place I found the situation of the Public store and the annuity left destitute of any protection. I have ordered a detachment of the 7th Regiment to take command of the Post, and also all the public property at the Post until further orders.

You cannot conceive sir my astonishment on my arrival here of the disagreeable news of the Chickasaws killing some of the friendly Indians of the United States, in the neighborhood. I am fully convinced that such conduct will not meet your approbation and that you will use your influence to check such conduct in the future if possible. I am sorry to inform you that Mr. Allen Post master in the Chickasaw nation has wrote a letter to Mr. J. Fletcher in which he insinuates that Judge Fooy and the inhabitants of this place is hostile to the United States. I have got a copy of his letter which will be transmitted to the War department. During my acquaintance with Judge Fooy, which has been for a considerable length of time, I have always found him to be a man truly faithful to any government that he has lived under.

I am respectfully
your humble servant.

Genl. James Robertson, R. SPARKS.
Agent for the Chickasaws.

(375)

Choctaw Agency 4th July 1814.

Dear Sir,—

We have just finished our fourth of July dinner and are just ready to drink a toast to the last retreat of Bonaparte. Col. McRee and myself are laughing at the coincidence of the fortune of Boney and myself about the time I superceded Col. Mc Boney was made or rather made himself Emperor of the French &c. We Bourbons now received him and McRee precedes me. "How finely we apples swim."

Will you be good enough to take the affidavit of John Gilchrist relative to a very white mare which he let Billy Hayes have. The mare strayed and is in the neighborhood of Washington. Hayes has seen her but cannot recover her without the testimony of a white man. Send the deposition to Col. McRee at Washington M. T.

Yours

General James Robertson.

SILAS DINSMOOR.

(376)

Nashville July 11th, 1814.

Dear Sir,—

In reply to yours of the 7th of June I have only time to say that I suppose if the rolls of the Chickasaws who guarded the ferry and road under your order are made out and certified by you to Genl. Flournoy and by him to the Sect'y of War together with a copy of your order to them to raise guards for that service transmitted with the rolls to the war department there can be no doubt but that they will be paid.

I am with much respect and sincerity

your friend

Genl. James Robertson,

WILLIE BLOUNT.

U. S. Genl. Chickasaw Nation.

BOOK NOTICE.

History of Tennessee, Its People and Its Institutions. By William Robertson Garrett, A.M., Ph.D., Professor of American History and Dean of the Peabody Normal College, and editor of the *American Historical Magazine*, and Albert Virgil Goodpasture, A.M., formerly Clerk of the Supreme Court of Tennessee. Nashville, Tenn. Brandon Printing Company, 1900.

This is the title of a book just issued from the press of the Brandon Printing Company. It is a work of 352 pages, and covers the entire history of the State. Beginning with the early Indian legends, it traces the settlement, the colonial and Federal relations, the political, social, and military history of Tennessee to the present time.

In the preparation of this work the authors have had free access to the archives of the Tennessee Historical Society and of the library of the University of Nashville. They have, thus, been enabled to present many facts heretofore unpublished, and to correct some errors which have gained credence.

A valuable feature of this work is the chapter which gives a synopsis of the various treaties by which the title to every foot of land in Tennessee was acquired from the Indians. This chapter is illustrated by a colored map showing the location of all lands in the State acquired by these several Indian treaties.

Another special chapter gives the history of the school lands, with a map showing their location. The history of internal improvement legislation, of education, of institutional legislation, etc., are treated in special chapters, in addition to the chronological treatment in the progress of the narration.

The book contains valuable appendix matter—the Constitution annotated to show the changes of the several Constitutions—a carefully prepared bibliography of Tennessee history and biography, and a manual of famous Tennesseans.

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EDITORIAL NOTES.

With this issue of the magazine terminates the series of papers called the Robertson letters. While some of them have no great importance or interest, it has been thought proper to publish all, lest the omission of a part might break the chain of current events which they record. So many of them are written by or addressed to men who occupied high official position or who were closely and actively identified with the early history of Tennessee, that the letters may be properly classed as state papers. Some others, owned by the Historical Society and not included in the two bound volumes so fortunately preserved by the late Prof. Nathaniel Cross, may be published hereafter. So many of the letters from public men contain expressions of confidence in the integrity of James Robertson and his ability to deal with the delicate questions which he had to solve, that they practically constitute a monument to the man.

So far as the writer can recall, there were only two occasions in a life full of action where he was subjected to serious criticism. One was when some objections, possibly frivolous, were made to the manner in which he had constructed a public road for which he had contracted, and the other was for the undertaking, without authority from the government, a campaign against the Indians, whose incessant cruelties had driven Robertson and the settlers to desperation. His campaign secured peace, the men who served in it were paid for their services, and Robertson held afterwards, practically as long as he lived, a responsible government office.

Hon. A. S. Colyar, of Nashville, on the 23d of the past month celebrated his eighty-second birthday by a dinner, at which some twenty-five or thirty guests, the majority of them young men, were present. He stated in a short after-dinner speech that the principal object of the occasion was the formation of a Jackson League, whose purpose would be the vindication of Jackson's

character from unjust criticism and defamation, and which would carry on the work he had begun should his hands grow too feeble to complete it. He said that Tennessee dare not longer neglect the obligation resting upon her of making a truthful record of the deeds of her greatest son.

Those who have read Col. Colyar's articles on Jackson know their value. Notwithstanding his advanced years he has put into this work the same vigor of thought and language which has marked every period of his long professional and political life. It is understood these articles, when completed, will be issued in book form. The Jackson League was organized with Mr. Ed. A. Price, President, and Mr. Chas. C. Trabue, Secretary.

The Scotch-Irish Society of America met at Knoxville, June 7-10. Among the more noted visitors present were Dr. John S. MacIntosh, of Philadelphia; Professor George McCloskie, of Princeton University; Mr. John McIlhenny, of Philadelphia; the Rev. Nevin Woodside, Mr. Rutherford, and Dr. Shaw, of Pittsburg. Judge Oliver P. Temple, the newly-elected President, conducted the meeting.

Dr. MacIntosh and Dr. McCloskie made addresses on the deceased President, Robert Bonner. Dr. MacIntosh also spoke learnedly and delightfully on Ulster superstitions. Addresses were made by Dr. Woodside on Capt. John Nevin and certain other Scotch-Irish worthies; by Dr. James Park, on Rev. Hezekiah Balch, and by Joshua W. Caldwell, upon "Four Scotch-Irishmen," viz.: Andrew Jackson, James K. Polk, John Bell and Hugh Lawson White. This last address emphasized the importance of Tennessee as a political factor between 1830 and 1850, and outlined the parts played by the four men named.

The meeting was in every way a successful one. The papers read will appear in the annual volume of the society.

THE
American Historical Magazine.

VOL. V.

OCTOBER, 1900.

No. 4.

ROCK CASTLE.

The following extract from Garrett and Goodpasture's History of Tennessee, recently issued from the press, points out the two important lessons of history which are taught by the fine old farmhouse, Rock Castle, which is still standing in Sumner County, Tennessee :

"An atrocious outrage occurred April 21, 1794, near the northern boundary of Tennessee, in a locality which might have been supposed secure from attack. The two Bledsoe boys, both named Anthony, each of whom had lost a father by the hands of Indian banditti, one the son of Col. Anthony Bledsoe, and the other the son of Col. Isaac Bledsoe, were killed on Drake's Creek, in Sumner County, by a band of Indians supposed to be Creeks. Their mangled bodies were found, partially stripped of clothing, and scalped. A negro man named Jack, who accompanied them, was captured and carried off by the Indians. The murder of these promising boys, who were beloved by all who knew them, caused deep grief and resentment among the settlers.

"The narrative of the murder of the Bledsoe boys has established, incidently, two important facts. Our early historians have neglected to record the statistics of industrial improvements and of education. We can learn of the former only by a few permanent landmarks, which stand as monuments, and tell their own story; and we learn of the latter only by tradition, aided by occasional incidental allusions of contemporaneous writers. The record of the murder of these two boys testifies to the facts that

the fine old farm residence, 'Rock Castle,' was built previous to 1794, out of rock quarried in the neighborhood, and that country schools had been established outside of Nashville previous to 1794.

"Gen. Daniel Smith was born in Fauquier County, Virginia, October 29, 1748, and died at his residence, Rock Castle, in Sumner County, Tennessee, June 16, 1818, and is buried in the family cemetery near his residence. He was an accomplished civil engineer, and was one of the commissioners of Virginia in locating the line which is now the northern boundary of Tennessee. Subsequently he removed to Tennessee, and became one of the most distinguished of its pioneers. He served as Secretary of the Southwest Territory, as United States Senator from Tennessee, succeeding Andrew Jackson, as commissioner in treating with the Indians, etc. He was the author of a geography of Tennessee, containing the first map of the State made from actual surveys, published in Philadelphia by 'Matthew Carey, book-seller.'

"He located an extensive grant of land on Drake's Creek, near Hendersonville, in Sumner County. This tract of land has never passed from his descendants, or been divided. It is now the property of his great granddaughter, Mrs. Horatio Berry. After being increased by the purchase of adjoining lands, it contains more than four thousand acres, and is one of the most magnificent estates in Tennessee. Upon this tract, Daniel Smith built the stone house, which was famous in its day, and is now historic. It was built under his own supervision from rock obtained from the 'stone quarry' which he opened a few hundred yards from the site. The stones were cut and laid with such precision as to form a structure perfect in workmanship, and so substantial that not a crack in the walls can be found to-day. Though old-fashioned in style, it remains a monument to the engineering skill of its builder.

"According to the family legends, the house was built in 1784. F. A. Michaux, who traveled through the country in 1802, and published a book in London in 1805, says: 'Stopped at the house of General Smith, one of the oldest inhabitants of the country, where he had resided fifteen or sixteen years.' This confirms the family legend. Michaux also says: 'We likewise saw, *en passant*, General Winchester, who was at a stone house that was

building for him on the road; this mansion, considering the country, bore the external marks of grandeur.' The sad fate of the Bledsoe boys has placed on record that it was finished before 1794; for they were boarding in the house, going *to school* in the neighborhood, and were killed at the quarry on their way from school. As there is no record that there was any person at the quarry to take part in the fight, or to discover the presence of the Indians, it may be inferred that the work had been finished, and the residence completed."

Since the publication of Garrett and Goodpasture's History, the following letter to General Smith from his wife has been discovered in the archives of the Tennessee Historical Society. This letter shows that the residence was not completed July 20, 1793:

"Sumner County, 20th July, 1793.

"*Dear Husband:*

"I still find myself under the disagreeable necessity of conversing with you on paper or not at all. I received yours by Mr. Overton and this is the first opportunity I have had to answer you. There is nothing amis in the family. The building goes on but slow owing to divers causes. There is no sawing done by Captn. Smith as yet, nor can I get any others to saw at as reasonable a rate as you gave for what is done. Majr. Donelson is the cheapest and he asks 6, 3 & 10 / for poplar Walnut and Oak p. hundred. Wm. Stamp has not worked any on the house for these five weeks owing to the illness and Death of his eldest child, but he has moved his family to this place in order to be convenient for the work. The masons work appear full forward for the preparations made for joiners. Nothing done toward the shingles. The Indians are still troubling us, this day (as I am informed), Hayses and Donelsons stations brakes, the Indians have killed two of the young Castleman & wounded old Honnis. I fear mortal. And on tuesday last wounded one of the Cambells. Beyond Town it is trewly unlucky for this side of the River from this to Neely's bent, that the Indians have killed Samuel Hays. I do not recollect any more mischief done by them lately. I must conclude with the love and duty of a wife, and with impatience and anxiety wait and wish your return until which time I'll say no more but adue.

Sallie Smith.

[Box S. 1, No. 93, S.]

[The progress of the work is further explained in the two letters, given below, written by Mr. Smith Hansbrough, one of the workmen on the house, and directed to Gen. Daniel Smith at Knoxville. From archives, Tennessee Historical Society, Box H, Nos. 12 and 13.]

July 20th 1793

Sir: Meeting with an opportunity to write to yo I imbrace it to inform you of affairs on Cumberland, the walls is generally about a foot above the bottom of the windows though they would have been farther on if Mr. Stamps had been at work he now is bad with a fall from a horse he has not laid a stone for five weeks. the first story of fraims is all in and that took all the stuff I have went to the Ceders and got more stuff, I believe we shall not Get much sawing done Before you come home for pain has not sawd any thing but the joists for the Citchen and a stock of lintells and split some stuff for window fraims as for David Smith I have never seen him since you have been gone but I wrote to him agreeable to your De-rection and he wrote back to get other sawers and he would pay the Money I have been badly fixt to Get the fraims made my eye has been so bad though I kept out of their way by Geting John to Assist me I think to go to the Ceders next week to Geting shingle stuff and try to Get the L part finisht this fall though I am afraid the wall wont all be up this season, we are apprehensive of Danger from the Indians here for they were at the mouth of Mill Creek the night before last and wounded a man within half a mile of town, samuel hays station is brook up and John Donisons I expect will in a few Days, we are Generally healthy at present, and Remain Yours to Command

SMITH HANSBROUGH.

September 15th 1793

Sir: I imbrace this opportunity of writing to you by Mr. Rober-son to inform you of Matters Concerning Your building it gos on Very slow one side of the L part is Leveled of fit for the joists and I expect the other will next week but the other part of the house is not as high as the windows I have made a Beginning to Get shingles but it seems to be a tedious Job to Get the stuff home for there is more wast in it than any stuff I ever workt, if you have any spedy opportunity to write Ant wants to know where you would chose to have your wheat sowd as it is time now to sow it, we have been Very peaceble here this summer and I dont here of any Mischief been lately done and Ant wants to know when you think you can Get to Come home we are all well at present and hope you are in the same happy ste, and so conclude by being your frend and Humb. servt.

SMITH HANSBROUGH.

AN EARLY SURVEY.

[From the archives of the Tennessee Historical Society, Box S., No. 77 S.]

Territory of the U. States So. River Ohio
Sumner County.

By virtue of a warrant from the Commission for selling the Salt Licks and springs pursuant to an Act of the General Assembly of the State of No. Carolina, entitled "An Act for the sale of the Salt Licks and springs with the adjoining land within the District of Mero" passed in the year 1789; I have surveyed for Stockly Donelson, Assignee of Thomas Overton, the original purchaser, agreeable to the said act, six Hundred and Forty Acres of Land, commonly called Drakes Lick. To wit: On Cumberland River, beginning at a small creek, on the said River, above the mouth of the Lick Branch Creek, running thence East four hundred and fifty-two poles to a black Oak, thence, South three hundred and twenty one poles to a Hickory, thence West one hundred and eighty poles, to a black oak on Danl Smiths line, thence along his line North one hundred and seventy two poles to two Dog Woods, thence West along the said Smiths line three hundred and eighteen poles, to a cedar and white oak on the river, thence up the same with its meanders to the beginning, including Drake's Lick. John Donelson

— Aug., 1790.

By Danl Smith.

RELATIVE TO INDIANS.

[From the archives of the Tennessee Historical Society, Box S., No. 78 S.]

Abingdon, May 24, 1793.

Dear Sir

The meeting of the Cherokees had not a few days ago decided the question whether they would accept the President's invitation or not. 'Tis likely they will not, at least I hear nothing

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like it as yet. They are much agitated with different embassies from the Chickasaws, Creeks and also from the Shawanese.

The Knoxville Gazette which doubtless you get, will give you more particular news of this place and you know 'tis authentic.

Major Beard's party on their way out to Cumberland fell in with the rear of that party of Indians on their return home which had just before attacked Greenfield Station. They killed an indian (Creek) and wounded another. This is a fact which has not yet been published.

On the 19th instant there was information at Knoxville (via Cherokees) that Mr. Seagrove had made a demand of the Creek nation of those indians who had been committing depredations in Georgia particularly on his brother's store, and that the Indians had agreed to give up about six of the perpetrators. I suppose this is not strictly true, for this reason—Mr. Seagrove I understand to be agent for the Creek nation—would he then make a partial demand for only aggressions committed on the State of Georgia, and take no notice of the many enormities committed on the Territory S. of Ohio?

I am D. Sir

Your most obedient humble serv't

David Allison Esq.

Dan Smith.

ESCORT DUTY.

[From the archives of the Tennessee Historical Society, Box S., No. 88-S.]

This Certifies that Underhill Ellis a substitute for George Suggs has served 45 days on the gard to conduct families from the lower end of Clync mountain to the settlement of cumberland it being his tower of duty and is now discharged from the same given under my hand this 23 day of Octo 1788

Thos Smith Capt

Micah Kirkpatrick agt.

Davidson county.

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EDUCATIONAL.

[The following letter from David Allison to Gen. Daniel Smith, throws some light on the condition of the schools of the period. The reader may judge whether the cowhide was to be used for educational purposes. The letter is filed in Tennessee Historical Society, Box A, No. 2.]

Knoxville November 28th 1793

Dear Sir:

I recd your favour by Colonel Winchester enclosing receipts for the Sumner Rangers for which I have to thank you for your friendly attention—I found Norris's power where you left it and have paid the money—

I have some Greek and Latin Books at the Judges which he writes me are wanting for your academy if so they are at your service, I do not know the price at present but they shall not be over the standard for similar things.—

If the Trustees will dispose of the Terry ground and the small field belonging thereto I will purchase, and furnish such articles as they may want from Philada. at a moderate advance

Write me on this head

I am sir with respect

Your obt serv

DAVID ALLISON.

I send your Cowhide by Capt Blackmore.

GENERAL JAMES ROBERTSON AND THE SPANIARDS—A FRAGMENT OF UNSIGNED HISTORY.

[The following fragment is filed with the archives of the Tennessee Historical Society, Box R2, No. 117. It is without date or signature. It is in the handwriting of the historian, A. W. Putnam. He is mistaken as to the date of Miro's letter. Instead of 20th April, 1783, the letter was dated 20th April, 1789, and may be found with facsimile of the date, page 87, volume 1, No. 1, of this magazine.]

It is certain that the idea of capturing New Orleans, had not been limited to the small and anomalous State of Franklin, nor to a few individuals on the Cumberland or in Kentucky—though it has never been ascertained that any organized plan or conspiracy for such a purpose had been formed: The general government was somewhat alarmed by the presentation of a private letter in Sept. 1787 at Charleston S. C. by John Sullivan to a distinguished artillery officer of Maryland—in which he says “there will be work cut out for you in the Tennessee country. I want you much. Take my word for it, we shall be speedily in possession of New Orleans.”

This induced the War Department to send Genl Harmar to make enquiries & if he discovered such movements, to suppress them; he discovered no act which he could report as hostile.

Judge Haywood in his History of Tennessee makes the following remarks: “As the affairs of the Cumberland settlers seemed to brighten, the Spaniards became sullen. They began to intimate that their territorial limits towards Georgia included the greater part of the Creek nation, and that the boundary of their territory was several degrees north of latitude thirty one. Whilst these States were in the childhood of independence, the conduct of the Spaniards towards them implied that they had not yet acquired any knowledge of international law, or were too weak to resent the infraction of its rules. It is an obvious law among nations, that one sovereignty shall not treat with inhabitants residing upon the territories of another, nor take them under protection,—much less receive from them a stipulation, that its governmental orders or municipal laws shall be obeyed by them. Yet now such was the conduct of Spain towards the State of Georgia. On the 1st June 1784,

in the fort of Pensacola, Governor Mero, Governor Oneille, and Don Navarro, on behalf of the Spanish crown, on the one side, and Alexander McGillivray, for the Creek nation, on the other, made and signed a treaty, by which the Creek nation engaged to maintain inviolable peace with the Spaniards; to expose their lives and fortunes for the King of Spain; to obey the orders which should be received from the Governor of Louisiana or Florida, and the laws of the great King of Spain, in points compatible with the character and circumstances of the Creeks, who should conform themselves to the municipal usages and customs established or to be established in Louisiana and both Floridas."

Among other engagements specified in this treaty, the Creeks were "to arrest all strangers coming into their territory or country, suspected of hostility to Spain, and not to admit into their towns any white persons without Spanish passports.

Judge Haywood remarks that "as the Creeks promised in all things to obey the Spanish authorities, they would certainly have kept the peace with the people of Cumberland, had any such orders been given; and as their conduct was otherwise than peaceful, the inference is not very favorable to the machinations of the Spaniards.

Col. Robertson had suspicions that Spanish jealousy was the cause of Indian hostilities, and he accordingly pursued all such measures as were best calculated to inspire the Spanish officers with confidence in the amicable inclinations of the new settlers on Cumberland.'

This induced him to write various letters to the Spanish governors, to Portell, to McGillivray and to others; and as also to send Mess. Hoggatt & Ewing on their mission to the Creek chief.

In a letter written by McGillivray at Little Tallassee, Apl. 4. 1788, he says,—“I will not deny that my nation has waged war against your country for several years past, and that we had no motives of revenge for it, nor did it proceed from any sense of injuries sustained from your people; but being warmly attached to the British, and under their influence, our operations were directed by them against you, in common with other Americans” McG. concludes with many professions—and avowals of candor & probity—which Judge H. says “are seldom the best evidences—the maxims of prudence & principles of law, require some proof to be adduced.”

On 20th Apl. 1783, Mero, Brigadier General and Governor of

West Florida and Louisiana, wrote to Col. Robertson with many professions of friendship, and invited him to remove from the Cumberland and settle in Louisiana,—assuring him that he should not be molested on account of religious sentiments; should not be called on for any taxes, and should find a ready market for his crops;—stating that the planters at Natchez had availed themselves of these terms, and were greatly prospering thereby.

In the year 1787-8, there was much excitement among the people of East Tennessee relative to the conduct of the Spanish authorities in restricting or closing the outlet of the Mississippi river, and propositions of invasion of Louisiana & for the capture of New Orleans were earnestly discussed: Col. Robertson thought proper to write to the Baron de Carondelet to assure him that the settlers on the Cumberland river entertained no such projects: And yet the members from Cumberland in the Legislature of North Carolina in this year 1787, openly denounced the unfriendly proceedings of these Spanish officers among the Indians & on the Mississippi.

REPORT OF COLONEL ASHTON.

[The following report is an interesting relic of the American Colonial Society, and gives an account of the killing of Don Miguel. It is filed in the Tennessee Historical Society, Box A, No. 37.]

City of Washington Aug 20. 1830

To the Board of Managers of the Am. Col. Society:

The undersigned to whom was referred the proceedings and report of a Court of Inquiry held on the 8th of April 1830 upon the affair of Little Bossa in the colony of Liberia in which Don Miguel a Spanish adventurer & slave trader lost his life in an attempt made by Capt. William Thompson of the American Colony & others of the said colony to break up a slave factory established within the said Colony by the said Don Miguel; begs leave respectfully to report; that he has attentively examined the Depositions and other statements made before the said Court of Inquiry and finds that the said Don Miguel had the reputation of being a Pirate, who had collected a desperate gang of adventurers at Havannah and at other places and established himself and his gang at Little Bossa, for the purpose of carrying on the slave trade. That the said Don Miguel had frequently insulted the flag of the United States & interrupted the fair & lawful navigation of the citizens of the United States & the Inhabitants of the American Colony of Liberia, that said Don Miguel had also been frequently heard to threaten the said Colony with destruction and with an army which he pretended was to be sent to him in exchange for the slaves which he should send out from his factory. That said Don Miguel had collected together a large number of the Native Africans at his said factory for the purpose of exporting them as slaves and had treated them with great severity and barbarity killing some and cruelly beating and maiming others. That said Don Miguel had forcibly & fraudulently compelled & seduced the ruling power of the Territory of Little Bossa to execute and sign a written contract for the sale of a large quantity of Land in said Territory, upon which his said factory was established, & compelled said ruling power to accept in payment therefor sundry articles of little value. That after the

said pretended purchase, said Don Miguel drove away from his said factory several of the American colonists, declaring that he would entirely break up all trade between the colonists and the natives in that settlement. That some time before the 1st of April last, said Don Miguel went with an armed force to Ballom Town, which is but a short distance from his factory in Little Bossa; and which was the residence of one F. White, to whom a Boat of the value of 100\$ had been given, some time before, by two American Sailors, as compensation for their Board & Accommodation. That said Don Miguel upon going to Ballom Town, demanded of said White to surrender to him the said Boat, for the price of two Doubloons, which he offered him; that said White refused to sell his boat for that price and demanded 100\$, which said Don Miguel refused to pay, but forthwith threw down the two Doubloons and forcibly took away the said Boat from said White, together with all its equipments, & carried it off to his own vessel; and afterwards sent for said White and compelled him by and threats to sign a bill of sale for said Boat and her equipments to him.

That some short time after the said affair of the Boat, Capt. William Thompson, a Colonist and one of the persons tried by said Court of Inquiry, had a conversation with Dr. Mechlin the then colonial agent on the subject of Don Miguel and the said affair of the Boat. That in said conversation the said agent strongly reprobated the conduct of said Don Miguel in relation to the said affair of the Boat and his other unlawful interference with the affairs & citizens of the said Colony, intimating his general suspicions of him and a wish that his factory could be broken up & he driven away in such a manner as not to implicate the Govt. authorities of the colony, and giving said Capt. Thompson reason to believe that if he could, by any means not connected with the Govt. authority of the colony, avenge the wrongs done by Don Miguel to the colonists & the native Inhabitants of Little Bossa; break up the aforesaid slave factory, and compel Don Miguel to leave the settlement & the coast: that no harm should or would be done to him the said Capt. Thompson on that account; but always refusing to take any part himself or in any manner compromit the interests of the colony, so far as the Government authorities might be involved.

That after the said conversation; about the 1st of April; said Capt. Thompson having induced about 20 persons to join him in the enterprize, embarked an armed force on board of one of the

vessels belonging to the colony for the avowed purpose of making an attack upon the factory of Don Miguel, which was enclosed in what is called a Barricade; and of breaking up & plundering the said factory; and enlarging the natives then imprisoned for exportation as slaves. That pursuing this design the said Capt. Thompson with his armed force sailed to Ballom Town, and landed with one or two of his party, and went to reconnoiter Don Miguels fortification, which, finding it then too strong for an assault, he left for the time, and returned on board his vessel, which proceeded on a trading voyage further down the coast to Grand Bossa. That after accomplishing her object at Grand Bossa the vessel sailed on her return voyage and stopped again at Ballom Town. That on the night of the 2d or 3d of April last the said Capt. Thompson landed with all his armament near Ballom Town, and proceeded to make the contemplated attack upon the fortified factory of Don Miguel. That Don Miguel and his party expected the said attack and was prepared to receive the assailants. That Capt. Thompson and his party did not contemplate any violence or bloodshed & determined that there should be none, unless rendered necessary by a violent resistance. That when Capt. Thompsons party invested the Barricade they found their adversaries armed with muskets and a piece of artillery, and ready to defend themselves. That Capt. Thompsons party was fired upon from the Barricade before they approached near to it, and after they got up to the enclosure. That they forced their way into the enclosure by cutting down part of the Barricade and upon entering found the besieged getting ready to fire upon them with their artillery; from which they deserted, upon the entry of the party, & fled from their quarters; some of them running around the House of Don Miguel, were pursued by one of Capt. Thompsons party named Steward who attempted to fire his musket at them which missed fire, whereupon Don Miguel fired a pistol at the said Steward & wounded him, which led to the firing of three or more muskets, by which Don Miguel and a native boy were killed, and one of Don Miguels men, a Spaniard was wounded: which put an end to all further resistance. After the submission of Don Miguels party the other proceeded to break open the slave prison & enlarge the prisoners, that done, they proceeded to set fire to the factory; which was prevented by the ruling power of the Territory, who with his subjects proceeded to plunder the factory and carry off every thing which they could, belonging to Don Miguel.

That no further personal violence was done by Capt. Thompsons party, which withdrew shortly after the affair was thus terminated, carrying along with them what plunder was left by the natives which amounted to a mere trifle.

It will be proper here to state also that Capt. Thompson appears to have consulted with the ruling power of the territory, upon the subject of his contemplated attack upon Don Miguels factory before he entered upon the enterprize, and that the said Ruling power made no objection to it, & promised that he would not take any vengeance if the enterprize should be accomplished; declining at the same time all participation in it; obviously from the apprehension of some mischief from Don Miguel.

Having thus presented a full view of the whole transaction, as disclosed by the Depositions, the undersigned would remark that he sees nothing in this affair which can give cause for discontent to any foreign power whatever, even the African Nations or native princes. If it be true that Don Miguel and his associates were a hoard of Pirates or free Booters, of which there seems to be little room for doubt, he was *hostis humani generis* and belonged of course to no nation: Therefore no nation can have a right to claim redress for his death, and even if he were not a pirate, yet his conduct was so lawless, brutal and ferocious that the Govt. of the United States might justifiably have taken his life as most of his acts were committed within the territorial limits of the Colony. But while the undersigned sees no cause to apprehend any disturbance to the colony by the interference of any foreign power; yet he sees in this transaction good cause to apprehend that great disturbance and even ruin may be brought upon the colony by internal insubordination, indiscreet and intemperate retaliation & lawless violence. However unprincipled, profligate, barbarous & outrageously unlawful may have been the conduct of Don Miguel & his party; their acts did not justify a league among private individuals, without any of the sanctions of government to assault, rob or plunder and in fact wage war against the establishment of Don Miguel. Neither the law of nations nor the municipal Laws of any civilized country will allow to private individuals the right of retaliation or reprisal beyond the time immediately following the assault or capture. If a man were beaten he might in the instant retaliate by beating the assailant & justifiably: so if any thing were taken from him & he could in the instant regain it by violence, before the other

had the appearance of possession he might do so lawfully; but after the blood had cooled in the one case, or there was an appearance of peaceable possession in the other case, any violent attempt at revenge or recaption would be an unlawful trespass. Therefore Mr. White could not lawfully take back his Boat from Don Miguel by violence after he had carried it to his factory, nor could he have retaliated the blows given by him Don Miguel, to compel him to sign the bill of sale for the Boat, at any time after the day and hour when those blows were inflicted. Private individuals are not allowed by the laws of civil to care for themselves either in reprisal or retaliation; but are turned over to the laws for redress. And if Mr. White could not lawfully retake his Boat & revenge the blows, much less could an unauthorized band of individuals leagued together upon their own private responsibility be justifiable for pursuing such a course of conduct. And most of all can the Governments colonial agent be excused for encouraging or in any manner conniving at such a dangerous and unlawful course of proceeding. It was his duty if Don Miguel's piratical conduct interfered with the interests of the colony, and was notoriously of a hostile & predatory character to the whole force of the colony to arrest him & his party & bring them to a legitimate trial, and further to defend the colony against any hostile invasion; and if his whole force was not sufficient for that purpose to apply to the government for protection, and not encourage a small part of that force, without any lawful authority, to make an attack upon Enemy, too powerful for his whole force. All the colonists and especially those intrusted with the direction & controul of the affairs of the colony should be thoroughly impressed with the knowledge that the laws of civil society do not & cannot authorize individuals to redress their wrongs and injuries according to their own will and pleasure; and that their grievances cannot & ought not to be relievable except by resorting to the tribunals, which are duly constituted first to judge of the wrong; and then the remedy, and lastly to put the injured party into lawful & peaceful possession of his remuneration.

(Signed by) COLONEL ASHTON.

GOV. BLOUNT TO SECRETARY OF WAR.

[This letter discusses the status of the Tennessee volunteers. From archives of Tennessee Historical Society, Box B2, No. 165.]

Nashville Dec. 10th 1813

The force from this State called into service to act against the hostile Creeks is composed in part of U. S. Volunteers enroled under the acts of Congress—of the militia detached under a requisition from the War Dept.; and in part of volunteers, who being best armed, turned out upon the pressing emergency, to repel an approaching invasion of this State, & the M. Territory.

The first named think that their term of service expires (as I have before advised you) on this day—the second one, I understand, of opinion, that their term of service will expire at the end of three months from their entrance into service (that time being considered by the militia law of the State, passed prior to the act of Congress, under which, the detachment was made) as a tour of duty—the third description I have reason to believe consider, that they ought not to be expected to serve longer than a three months tour, from their entrance into service, if that long.

When these Troops were called into service, the term they were expected to serve was not mentioned in the instruction I recd. from the War Department, or in the act of the Genl. Assembly of this State, under which, a part of the force was called out; neither was it mentioned in my order calling them out, I not having been advised of the most acceptable term to the Government, and knowing no other limitation to their service than such as was provided for by acts of Congress, unless sooner discharged by order of the President.

I believe the principal reason why those Troops in part feel a desire to be discharged on the 10th Instant, is that the volunteers think that they should not be compelled to serve longer than one year from the time they were called into service, as they have held themselves ready to act, at the call of Government, since the 10th Dec. 1812; this has occasioned much uneasiness and embarrassment in camp—The balance probably are influenced by their recollec-

tion of a tour of duty, under the militia law of this State; and by their want of clothing &c., for a longer term of service; and another argument may be, that the circumstances under which they were called (to repel an approaching invasion in part), did not admit of delay in their making the necessary preparation for a tour of six months, as the act of Congress respecting detached militia requires, unless sooner discharged by the President's order—in other words they had not time to prepare—their promptitude promoted the service—their prompt attention to the call of Government, and the important services they have rendered in the field during the short time they have been in service, teaches the belief that they cannot be actuated in their willingness to return for any other reasons than the above mentioned.

These facts and opinions are stated for the information of Government, with whom alone it rests to determine how long they shall serve; to order their discharge; and likewise to order, in the event of their discharge, how their places are to be supplied.

It is presumed that the object of the campaign is not yet effected, and it may not be for some time to come, with best exertions—Under these circumstances, and a desire felt here to promote the good of the service, it would be acceptable to the men in service, to be informed how long they are expected to serve, and if they are to be discharged, by whose order, and how their places are to be supplied.

Information on these points is respectfully solicited, believing that the good of the service, and the situation of this frontier require it—I am requested to make these inquiries—respectfully

WILLIE BLOUNT.

The Honble John Armstrong
Secy War

A PATRIOTIC STATUTE.

[It is well known that Gov. Willie Blount borrowed the money to maintain the Tennessee troops under Jackson, and gave his note for the amount. The authority under which he acted is not so well known, and is found in the following Act of the General Assembly of Tennessee.]

CHAP. I.

An act to repel the invasion of the state of Tennessee by the Creek Indians, and to afford relief to the Citizens of the Mississippi Territory and other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That of the militia of said state, the Governor is hereby authorized to organize and march immediately any number not exceeding three thousand five hundred men, in such proportions of Infantry, Rifle-men, Cavalry, Artillery and mounted Infantry, as the Governor and the commanding General deem proper, for the public service, to any place in the Creek nation of Indians or in the Mississippi Territory where said troops may give relief to the citizens of said territory, and repel the invasion of the state of Tennessee by said Indians and their allies.

SEC. 2. *Be it enacted*, That the Governor of Tennessee be and he is hereby authorized to contract for and supply said troops with provisions, ammunition, and arms, at the expence of said state until the General Government make provision for said troops, and to draw on the treasurers of said state for the money, or borrow the same of either of the banks in Tennessee, or any other source at a rate of Interest usual in said bank.

SEC. 3. *Be it enacted*, That in the event the General Government refuse to pay the aforesaid troops for their services as other similar troops are paid by the said Government, then and in that event said troops shall be paid by the state of Tennessee in the same manner the United States pay similar troops.

SEC. 4. *Be it enacted*, That each or either of the banks in Tennessee are hereby authorized to lend to the Governor, any sum or sums of money not exceeding three hundred thousand dollars to be

used in supplying the aforesaid troops, or for their pay or the purchase of ammunition or arms.

SEC. 5. *Be it enacted*, That any sum the Governor may borrow under the provisions of this act, the revenue of this state shall be pledged to the lenders for the same, and the interest, and in the event the General Government do not pay the debts contracted by the Governor, at the next session of the Legislature of this state, a tax shall be laid on the taxable property of this state, sufficient to raise the sum and the interest thereon, which may be borrowed by the Governor.

SEC. 6. *Be it enacted*, That the Governor's warrant on the Treasury of this state, for the sum or sums he may borrow and the interest thereon shall be sufficient and conclusive evidence of such debts, and shall entitle the lenders to draw interest, on the sum or sums by them advanced, from the time advanced until said sum or sums be repaid, and that the interest shall be paid half yearly agreeably to the rate of interest, mentioned in the second section of this act.

TH. CLAIBORNE,

Speaker of the House of Representatives.

ROBERT C. FOSTER,

Speaker of the Senate.

September 24, 1813.

SKETCHES OF SEVIER AND ROBERTSON COUNTIES.

[In 1880 the city of Nashville held a Centennial Exposition. It was decided, as one feature of the Exposition, to exhibit a series of sketches embracing the history of every county in the State. Letters were addressed to prominent citizens in each county, soliciting their co-operation. Although the response was by no means general, yet valuable information was obtained from several of the counties. Some of these county sketches, or histories, found their way into the archives of the Tennessee Historical Society. Among these the sketch of Sevier County has been selected for publication, not only on account of interesting information, but also on account of the letter of the author, Hon. W. L. Duggan, which shows the action of the State Legislature and of the County Court of Sevier.

The sketch of Robertson County, the author of which is unknown, is selected, on account of interesting local information, and especially on account of the sketch which it contains of the *Bell Witch*. This remarkable episode of Tennessee history has well-nigh passed out of mind, and has not found a place in the annals of the State. From 1818 to 1835 the stories of the *Bell Witch* created great excitement in Robertson County, and throughout Middle Tennessee. The reader who may be interested in this remarkable hallucination is referred to a book entitled "An Authenticated History of the Bell Witch," by M. V. Ingram, published at Clarksville, Tenn., by W. P. Titus.

Perhaps no other witchcraft hallucination ever gained currency in the State except the excitement in Fentress County, which occurred about 1837, and led to the only trial for witchcraft in Tennessee. Fortunately, the only trial for witchcraft in the State, although leading to conviction before the Justice of the Peace, resulted in the acquittal of the accused on appeal to the Circuit Court.

These two county sketches are filed in the Archives of the Tennessee Historical Society, marked respectively, Box S1, No. 43, and Box R2, No. 142.]

Nashville, Tenn., April, 1880.

The County Court of Sevier County at its April term 1880, in pursuance of a Resolution adopted by the General Assembly of Tennessee, appointed the undersigned—together with D. W. Howard, Esq., and Dr. J. U. Hammer—to prepare a "succinct History" of Sevier County for the occasion of the Nashville Centennial. I have not had the assistance of Messrs Howard and Hammer in the prep-

aration of the History, nor have I had an opportunity to examine the early records of the county.

The accompanying history embraces a recital of such important facts as I could obtain from the limited means at my command.

Very Respectfully,

W. L. DUGGAN.

1880.

A Brief History of Sevier County, from its First Settlement and Organization—Embracing a brief reference to the most Important Events—Increase of Population—Mountains—Rivers—Water Powers—Mineral Resources—Soil—Climate—Medicinal Springs.

THE FIRST SETTLEMENT

of the territory which now forms Sevier County was made on Dumlplin Creek a few miles north of French Broad River. This was shortly followed by settlements on Boyd's Creek and at different places on Little Pigeon River.

SEVIER COUNTY WAS ESTABLISHED

by the "Territorial Assembly," in 1794—was taken off of Jefferson—then called Caswell County. It was the tenth county established by the Territorial Government, and was named in honor of General John Sevier, the Governor of the "State of Franklin," and the first Governor of Tennessee.

The county contains 660 square miles, or 442,400 acres, and is bounded: On the North, by Jefferson County; on the East, by Cocke County; on the South, by the North Carolina line; on the West, by Blount and Knox Counties.

POPULATION.

The first census of the County was taken in July, 1795, showing a population of a little more than 3,000. The subsequent censuses exhibit the following increase in population:

In 1800	the population	was near	3,400	
" 1810	"	"	"	4,500
" 1820	"	"	"	4,700
" 1830	"	"	"	5,700
" 1840	"	"	"	6,400
" 1850	"	"	"	6,900
" 1860	"	"	"	9,100
" 1870	"	"	"	11,000
" 1880	"	" estimated	"	14,000

SEVIERVILLE, THE COUNTY SEAT,

was located by Commissioners, duly authorized by the Legislature of 1794, at the Confluence of the West and main East Forks of Little Pigeon river. The first officers of the County were Samuel Newell, Chairman of the County Court; Samuel Wear, Clerk County Court; John Lowry, County Solicitor; Ambrose Arther, Sheriff; Thomas Buckingham, Collector. The first State Senator, John Clack; first Representatives, Spencer Clack and Sam'l Newell.

It has been nearly 86 years since the establishment of Sevier County, during which time the solitude of the forest, or the wigwams of the savages, have given way to the enterprise and industry of an energetic people. "The County has been the land of hunters, soldiers and patriots. It has its stations, forts and battle grounds."

Proud associations, coupled with many heroic struggles by her hardy pioneers, cluster around her early history, and her progress from those days of hazardous pioneer life to the present writing has been marked by an honorable and patriotic career. The unceasing toils and steady pursuits of civilized life have transformed this once rugged wilderness into a beautiful and productive agricultural region.

SURFACE, SOIL AND CLIMATE.

Extending from the Holston river on the North, to the State line on the top of the "Smoky Mountain," on the South, the County embraces the northern slope of said mountain and the smaller mountains adjoining, thus affording a variety of soil and a contrariety of surface, producing a delightful diversity of climate. The Southern portion of the County is mountainous and broken; the Northern and Western parts more level and productive. In the Southern part of the County are some of the most delightful and picturesque views to be found anywhere in the State, many of the loftiest peaks being more than a mile in height.

RIVERS AND WATER POWERS.

The three forks of Little Pigeon river, known as "East Fork," "Middle Fork" and "West Fork," have their sources in the mountainous parts of the County, and forming a final junction at Sevierville, flow nearly North to the French Broad river, which also flows through the County. The excellent and valuable water powers on these three forks of Little Pigeon, and on many of the largest

Creeks, would be sufficient to run the machinery of all the manufacturing of the State.

The soil varies from the rich loam on the extensive bottoms on French Broad and Pigeon rivers, to the high and hilly lands which are admirably adapted to the production of fruits, tobacco, grasses and the cereals. Stock grazing is profitable in that part of the County adjoining North Carolina.

IRON ORE

exists in unlimited quantities and of excellent quality in different sections of the County. A Swedish company operated a furnace and "iron works" with much success on the East Fork of Little Pigeon, about the years 1835 to 1840. They finally abandoned the work on account of the cost of transportation. Many of the cooking vessels, kettles, &c., used by the citizens for many years, and many of which are yet good, were made of iron from these works. Also at "Pigeon Forge," on the West Fork, iron was produced for several years in abundance. These "iron banks" and many others throughout the County contain almost inexhaustible beds of iron ore.

THE SILVER MINES

in Greenbrier Cove, in the south-eastern part of the County, have attracted considerable attention for a year or two, and eastern capitalists are negotiating with the owners of the lands for a purchase or lease of the same.

CHALYBEATE SPRINGS.

The County affords some of the most valuable chalybeate springs to be found anywhere in the State. These springs are places of pleasant resort for hundreds during the hot summer months, and they possess effective medicinal properties.

ROBERTSON COUNTY.

Established April, 1796.

Organized July 18, 1796.

Upon the establishment of our State, in 1796, one of the three Counties which had been erected in the Cumberland Country by the Legislature of North Carolina, was called Tennessee. When the Convention appropriated the name of the County and gave it

to the State, Tennessee County was divided into two distinct counties, one being called Robertson and the other Montgomery. Robertson County was named in honor of Gen. James Robertson, one of the founders of Nashville. It was established by Act of the General Assembly of Tennessee, passed at Knoxville, April, 1796, and is bounded at present as follows: On the north by the State of Kentucky, on the east by Sumner, on the south by Davidson and Cheatham, and on the west by Cheatham and Montgomery Counties, having an area of about 330 square miles.

Robertson County was organized at the house of Jacob McCarty, on Sulphur Fork, $1\frac{1}{2}$ mi., west of Springfield, July 18, 1796, the following named gentlemen being commissioned as Justices of the Peace, to wit:

William Fort, Isaac Philips, William Miles, Benjamin Menees, Bazel Boren, Martin Duncan, John Philips, Zebulon B. Hobart, James Crabtree, Charles Miles and Hugh Henry, who took the several oaths required by law.

William Fort was elected Chairman of the Court of Pleas and Quarter Sessions; Thomas Johnson, Clerk; Hugh Henry, Sheriff; Bazel Boren, Register; Josiah Fort, Trustee; John Philips, Ranger; Isaac Brown, Coroner; and Stephen Boren, Isaac Menees, Daniel McKindley, William Brown, James Crabtree and John Mercer, Constables in and for said County.

Samuel Donelson, Esq., was appointed County Solicitor.

The Court adjourned on the following day to meet at the house of Benjamin McIntosh, October Term, 1796. McIntosh lived north of the site of Springfield about one mile, that is, he is said to have lived there. The Court was held here until April Term, 1798, when it adjourned to meet at the "Town of Springfield," July Term, of the same year.

SPRINGFIELD.

Springfield, the County-seat, was founded in 1798, on a tract of sixty acres of land, donated by Archer Cheatham and Thomas Johnson, Sr., and named for the many springs which broke out on the town site. The town is pleasantly located on the south side of Sulphur Fork of Red River, in a high and rolling, healthy and fertile section, near the geographical center of the County, and about 30 miles north-west from Nashville. The first settlers in Springfield were Archer Cheatham, John Hutchison, Thomas Dickson, Jonathan Ferguson and Thomas Johnson. Col. Cheatham was a

farmer, hotel keeper, and land speculator. 'Squire Hutchison was a hotel keeper at an early day in the town, but whether he or Cheatham was first, is not now known. He subsequently held sundry offices of trust in the County. Mr. Dickson was a one legged man, and a farmer by occupation. John Ferguson was a hatter, the first in the place. Dr. Levi Noyes was the first physician to locate in Springfield, about 1802. He was succeeded by Dr. Archibald Thomas. The Martin Brothers were the first merchants in the town, beginning business about 1800. James McMeans was the first attorney at this bar, about 1811. Springfield grew very slowly, and as a consequence the educational facilities were meager. The first school was taught here by Avery Clark, about the year 1809. The first postmaster was Nicholas Conrad, who was among the first merchants, at an early date, but the exact time cannot now be ascertained. The Methodists erected the first church in the place, about 1822, and the Rev. William Peters was the first pastor to preach in it. Previous to this the Court house had been occupied by the ministers of all denominations.

Springfield was incorporated in 1853, and Eaton A. Williams elected the first mayor. The first newspaper—the "Cumberland Presbyterian"—published in the County was issued in 1839, Rev. David R. Harris, editor and proprietor. It was a religious paper, devoted to the interests of the Cumberland Presbyterian Church, and was subsequently removed to Lebanon, Tenn.; thence to Nashville. The first bank—Springfield National Bank—was established in 1872; capital, \$60,000; John Woodard, President.

Springfield is directly connected with Nashville and St. Louis by the St. Louis & South-eastern Railroad, constructed in 1857-8, and with other points by its connections.

Springfield has grown but slowly, the construction of the St. L. & S. E. Railroad connecting it with Nashville and St. Louis having but little effect upon its growth. It has never suffered severely from fire, only a few houses having been burned. It is now in its most prosperous period, building up slowly but substantially. Her business men have generally been successful, and the credit of her merchants as good as in most of her sister towns. She has a number of handsome private residences, as well as public buildings.

Springfield has now 4 dry goods stores, 8 grocery stores, 3 drug stores, 1 furniture store, 6 saloons, 2 millinery shops, 1 undertaker, 1 silversmith, 2 blacksmith shops, 1 wagon shop, 2 livery stables, 3

hotels, 2 shoe and boot shops, 3 saddler and harness shops, 2 steam flour-mills, 1 tobacco warehouse, 4 wholesale whisky houses; 3 schools, with six teachers and about 160 pupils; 3 churches—Methodist, Baptist, and Cumberland Presbyterian; 1 colored school, with 1 teacher and about 50 pupils; 2 colored churches—Methodist and Baptist; 5 preachers, 4 physicians, 12 lawyers; 1 newspaper—Springfield Record; postal, express, and telegraphic facilities; and a population of about 1,000, of which about one-fourth are colored.

Courthouse.—The first Courthouse was a log building, 18x18 feet, covered with boards. It was the "temple of justice" until 1819, when the present Courthouse, an old fashioned brick building, 40x40 feet, with court room below and Sheriff and Clerk's offices above.

Jails.—Robertson County has had three jails, one wooden, one brick, and one stone, the latter very substantial, with nice brick apartments for Jailor.

TURNERSVILLE,

a straggling, dilapidated post village, on Miller's Creek in the western part of the County, 10 miles from Springfield, in a broken and much worn section, was established in the early part of this century, and named for Major John E. Turner, a North Carolinian of Scotch descent. In its earlier days it was a place of some little local importance, having a number of stores, mechanic shops, hotel, saloons, etc., but now it has an old appearance and is evidently on the decline. It has now but one store, a blacksmith shop, school, Methodist Church, 2 physicians, and a population of about 100, of which about one-third are colored.

COOPERTOWN,

a small post village on the Nashville & Clarksville road, 8 miles southwest from Springfield, was established about 1858, and its name suggested by David Nave on account of the cooper shops then in operation here. It is pleasantly located in an undulating, healthy and moderately fertile section, and has a store, some mechanic shops, school house, Christian Church, two physicians, and a population of about 75 inhabitants.

BARREN PLAINS,

a post village at the crossing of the Gallatin and Hopkinsville and Springfield and Russellville roads, about — miles north from

Springfield, was established in 1825 by "Buckeye" Mason, its name having been suggested because the land was then barren of timber. It has now two stores, a family grocery, some mechanic shops, school, Masonic hall, two physicians, & about 60 inhabitants. It was about six miles north of this place, just beyond the Kentucky line, that the duel by Andrew Jackson and — Dickinson was fought, 18—.

BLACKJACK,

a post village on the Franklin and Springfield road, 11 miles northeast from the latter town, was established about 1859, and took its name from the blackjack timber in which it was located. It is situated in a pleasant agricultural district, and has three stores, one grocery, 1 saloon, some mechanic shops, schoolhouse, church, 1 physician, & about 100 inhabitants.

VILLAGES OF ROBERTSON COUNTY.

Cross Plains, a post village on the South Fork of Red River, 11 miles east from Springfield, and about three-fourths of a mile east of the site of "Kilgore's Station," was founded about the year 1812, and took its name from the crossing of the Nashville and Russellville and the Gallatin and Hopkinsville roads, where it is located. It is pleasantly situated on an elevated and rolling plain between the Middle and South Forks of Red River, on land formerly belonging to James Yates, who was the first merchant in the place. It has always been a live village, in the midst of a thriving community, noted for its health and morality. It has now 5 dry goods and grocery stores, 2 drug stores, 1 saloon, 1 blacksmith, 1 wagon, 1 tailor, 1 saddle and harness and 1 boot and shoe shop, 1 hotel; 1 school—Stonewall College; 1 church—Cumberland Presbyterian; 1 Masonic and Odd Fellows' hall, 1 steam saw and grist mill, a number of handsome cottage residences, and a population of about 150, of which about one-third are colored.

Cedar Hill, a post village on the St. L. & S. E. Railroad, 7 miles north of west from Springfield, was established on the land of J. W. Gooch, in 1857, and took its name from the few cedars near by on the highest elevation between Nashville & Guthrie. It is delightfully located in a healthy, fertile and slightly undulating section of the County, surrounded by an intelligent and religious community. The village has now 2 dry goods stores, 3 grocery stores, 1 drug store, some mechanic shops, 1 steam flouring mill, school,

a Methodist Church, Masonic Hall, hotel, 2 large tobacco houses, and a population of about 100, of which about one-tenth are colored.

Adam's Station, a post village on the St. L. & S. E. Railroad, 12 miles north-west from Springfield, was founded in 1859, on the lands of Jas. M. Adams for whom the place was named. It is pleasantly located in a broken, healthy and fertile section, on the south side of Red River, and is the largest village in the County. Thomas J. Adams & B. O. Crenshaw, J. M. Adams & Jas. Chambers, were the first merchants; F. J. Adams, first postmaster; M. G. Alexander, the first school teacher; the Methodists erected the first church in 1870, and Rev. John H. Reynolds was the first pastor. Dr. P. A. Williams was the first physician to locate here, about 1863. It was incorporated in 1870, and W. C. Tomerlin elected mayor. The place has grown slowly, having been pretty well destroyed in the late Civil War. It has now 3 dry goods stores, 2 groceries, 2 drug stores, 2 saloons, some mechanic shops, good school; 2 churches—Methodist and Baptist; hotel, steam grist mill, 2 tobacco factories, 3 preachers, 3 physicians, 1 lawyer, & about 250 inhabitants, of which about one-fifth are colored.

Greenbrier and *Sadlersville*, also *Ridge Top*, are stations on the St. L. & S. E. Railroad in this County.

BEGINNINGS—IMPROVEMENTS.

Mill.—The first water mill, in Robertson County, was built on Sulphur Fork by Maj. Charles Miles, about 1793.

School.—The first school in this County was taught by Robert Black, on Sulphur Fork, near Capt. Isaac Dortch's, about the year 1798. Previous to this time the young idea had been taught how to shoot in private families; that is, where it was taught at all.

Church.—The first church erected in the County was a Primitive Baptist Church, called "Grammer's Meeting House," on Sulphur Fork, about 1790, and the Rev. Mr. Grammer & Rev. Nathan Arnett, it is thought, were the first pastors. Preaching had been had at the cabins of the pioneers by ministers of various denominations before as well as after this.

Camp Ground.—The first camp ground, it is thought by some, was Mount Zion, on Carr's Creek, established about 1800. Others are of the opinion that the Ridge Camp Ground was the first, and that it was built much about the same time, the Revs. Finis Ewing, Daniel McGready and others being the officiating ministers.

Cotton Gin.—The first cotton gin in Robertson County was built, it is thought, by James McFarland, on Brush Creek, about 1802-'5.

Distillery.—The first distillery, it is thought, was built by Jonathan Darden, on Sulphur Fork, about 1800. It was a small affair, but the County has long since become noted for its many distilleries & for its excellent whiskey. In fact, Old Robertson is quite as familiar a brand as Old Bourbon, in the marts of trade. Daniel Holman built the first distillery.

“THE BELL WITCH.”

(See 1 Sam. 28: 15-19.)

This mysterious, invisible, loquacious *something* is said to have manifested itself at the house of John Bell and vicinity, on Red River, in the north-western part of this County, in the year 1818, and to have continued its marvelous and unwelcome visitations until the death of Mr. Bell and his wife, the former occurring in 1822, and the latter in 1825. The story of the witch of Endor, as related in the Scriptures, did not create much more excitement than did the “witch” at Bell’s. So great was the excitement, that people came from at least a half dozen States to see, or rather to hear, the sayings of this mysterious being. It would be impossible to relate a moiety of what it is reported to have said. Indeed, some of its language was so profane and vulgar, as to preclude its recital here.

Its first manifestations were made by pulling off the bed clothes and scratching on the bed tick; to pull the daubing out of the cracks of the house and sprinkling it in the middle of the floor. Then it told in a low tone that it was a deceased spirit, and that it had come to have some skull bones which had been taken from a mound near by on the river bluff, and that it would not cease its visits until the skulls were returned to their resting places. Although the skulls had been carefully deposited in their original graves, yet the witch came again. When asked why it had come again, it said: To let the family know where it had, when in the flesh, deposited a quantity of gold. Search was made for the gold at the place designated, but was not found, though diligent search was made. It would slap and spank a twelve year old girl, a daughter of Mr. Bell, so much so that the signs of the fingers were made on the flesh of the girl. The girl being sent off to avoid the chastising, the witch followed her and took her from between a man and his wife, rolling them off. It not only spoke audibly several different languages,

but would touch hands with those of the neighborhood whom it deemed honorable. It would tell what had transpired in the vicinity for a distance of seven or more miles round, narrating the intimacies of men and their wives, as well as disclosing the intrigues of men and women who deemed their *liaisons* unknown to any but themselves. It would unlock the door of the dwelling; although the key was in the lock, and held by a stout man, without turning the key. In making its approach it would first be heard striking the roof of the house with a brush or limb of a tree; then it would be heard to drop as it were from the rafters to the second floor, and then on the first, making as loud a noise as would any large man. It would talk and laugh, making ludicrous remarks about the "damned fools who had come to see the witch." It would call the dogs and set them upon passers-by, to the great annoyance of the family as well as the neighbors. It would even take the tobacco out of the mouth of Mr. Bell, and put therein an old, much used pipe stem; at least, he thought it was there, though his friends could see nothing of the kind. It would call Mrs. Bell by her given name; would drop grapes and hazelnuts into her hand; would crack the nuts, place the kernel in her hand, and drop the wet hulls upon the floor, looking as if they had been moistened by being cracked in the mouth. And all the time the witch was invisible. It has been known to take a cup of coffee out of Mrs. Bell's hand, turn it up as if drinking from it, when the coffee would disappear, the cup be replaced, without any having fallen upon the floor. At times, when the family and friends would be sitting round the fire, nuts and acorns would fall on the hearth, coming apparently from the flue of the chimney, but when any one would endeavor to pick them up, they could not be found. On one occasion a large dinner pot rolled down and out into the floor, and then disappeared, leaving not a greasy spot. At one time a vial of poison was found in the flue of the chimney, and being taken down, Dr. George B. Hopson gave one drop to a cat, causing its death in seven seconds. The witch claimed to have put the poison there for the purpose of killing Mr. Bell. Being asked how it was going to administer the poison, it said by pouring it into the dinner pot. It is remarkable that, although he enjoyed good health up to the time of this event, **Mr. Bell died within** — days after the vial was found, being in a stupor at the time of his death. From this time the people visited the house less frequently, although the witch would now and then

be heard. After Mrs. Bell's death, the house was unoccupied, no one being willing to live in it. It was not long afterward pulled down and the logs and other material removed. The barns, stables, and all other buildings were likewise removed, and the well filled up, leaving the apple orchard and a sycamore tree, which stood in the yard, to mark the spot where the Bell family once lived.

William Hawkins, who came to see it, entered the house when it was literally full of people. As he came, the witch said: "There comes Bill Hawkins, who killed a horse to-day!" It was true that he had that evening shot an old horse that had annoyed him for a long time by jumping into his fields, as Mr. Hawkins acknowledged at the time.

The foregoing is related by F. R. Miles, William Pride, W. J. Gooch, Ben. B. Batts, and many others.

The witch could bark and lap like a dog, buzz like a swarm of bees, cackle like chickens, crow like a rooster, gobble and yelp like a turkey, quack like a duck, and imitate other animals. It could sing, preach and pray, and do many things to astonish the bystanders. One might rest an open penknife on his knee, point up, and the witch would slap down on the knee making a noise audible anywhere in the room. A neighbor woman, known to a number of living witnesses, having spoken in a crabbed, disrespectful manner of the said witch, it became indignant toward her, and proceeded to punish her by simply turning her dress over her head, twisting the same about as one would twist a meal or corn sack, and apparently holding it with one hand, while it administered a severe chastisement by slapping her with the other open hand. The black marks were visible upon her arms and shoulders several days afterward. This was told me by a gentleman of well known veracity, who saw the marks himself.

Another remarkable attribute of the witch was that it could be at three or more places, distant from each other two miles or more, at the same time, as evidenced by talking and otherwise making a noise by scratching on the beds or pulling off the coverlets or quilts. It shook hands with several men, upon one occasion, when one of the men made an effort to hold the hand of the witch and called for a light. Before the light could be brought the witch wrenched its hand from the man. The witch was angry at this act of impertinence and cursed and abused the man severely, and never afterwards had any confidence in him. The man said he could feel the

hand of the witch in his, but could neither see nor feel any arm round or about it. It has been known to throw rocks at people, to appear as a bear, rabbit and black dog, and in sundry other forms and characters.

It called itself by three different names; to wit, "Three Waters," "Tynaperty," and "Black Dog." It also claimed that it was one of seven spirits, only three of whose names were given, as above.

Whatever may be thought of this remarkable nondescript, spirit, apparition, or whatever people may choose to call it, it certainly created no little excitement, not only in the County of Robertson, but in at least a half dozen States. We give the statements as we received them for what they are worth, but have no comments to make. The half has not been told; indeed, a volume might be written concerning this remarkable "Bell witch."

SENATORS AND REPRESENTATIVES—1796-1880.

Senators—Henry Frey, Edward S. Cheatham, Andrew E. Garner, Joseph C. Stark, Dr. Hugh Robinson, John A. Cheatham, John S. Hart.

Representatives—John Young, Richard Cheatham, Richard R. P. Powell, David West, John Woodard, Anderson Cheatham, William C. Conrad, Austin Barbee, Matthew Powell, William Seal, W. W. Pepper, Wiley Woodard, E. A. Fort, Sylvanus Benton, George A. Washington, B. M. Cheatham, J. A. Bell, John S. Hart, William Moore (F.), James Norfleet, James M. Malloy, Thomas Menees, David D. Holman, Joseph Washington, John Woodard, W. R. Sadler.

NEWSPAPERS.

The Cumberland Presbyterian was established in 1839, with Rev. D. R. Harris as editor and proprietor, and ran about two years.

The Springfield Spy began in 1846. Grant & Ligon were editors and proprietors. It ran two years.

The Robertson Backwoodsman was first published by Kirk & McNelly in 1848. It was changed to the Springfield Intelligencer in 1849. In February, 1852, H. H. Kirk sold the paper to George H. McNelly, and about August, 1853, McNelly sold to James L. Davis, who in 1854 changed the name to the Dollar Weekly American, which was discontinued in the year 1855.

In the year 1856 a stock company bought the office, placed Mason & Shropshire on the staff, and ran the Robertson Democrat for four or five months, when it went under.

In 1859 Messrs. G. W. Davis & Co. started the Springfield Spectator (Whig), which was continued until 1862, when Morgan passed through and printed his Vidette with the material. In a few days thereafter a Federal force came through and heaved the type and fixtures out of a two-story window and broke the press to atoms.

In 1866 M. V. Ingram & Co. started a little paper, the Robertson Register, with Archie Thomas as editor and one of the proprietors, who in a few months, however, sold his interest to M. V. Ingram, who ran the Register until October 23, 1868, when he moved it to Clarksville and changed its name to the Clarksville Tobacco Leaf.

On April 16, 1869, Archie Thomas and Richard F. Thomas established the Springfield Record under the firm name of Thomas Brothers, and it is now in its tenth volume. It is Democratic. The senior member of this firm is one among the oldest of the craft in Tennessee. He entered as an apprentice in the office of the Springfield Intelligencer in October, 1850.

The firm of Thomas Brothers, in 1878, built a fine brick office two stories high on Main street. It is an ornament to the town, being 22x60 feet. It has splendid business rooms on the first floor.

SHERIFFS—1796-1880.

Hugh Henry, two years—1796-1798; James Menees, Jr., six years—1798-1804; John B. Cheatham, six years—1804-1810; John Howell, two years—1810-1812; Anderson Cheatham, eight years—1812-1820; Henry Frey, four years—1820-1824; Benjamin Kirby, two years—1824-1826; Washington Ryburn, two years—1826-1828; Richard R. P. Powell, six years—1828-1834; Josiah W. Hicks, six years—1834-1840; Green Benton, six years—1840-1846; Robert H. Murphy, six years—1846-1852; Alfred Pike, six years—1852-1858; Augustus Randolph, two years—1858-1860; Alfred Pike, five years—1860-1865; Marcus L. Woodard, three years—1865-1868; Benjamin H. Boone, eight years—1868-1876; James S. Jones, — years—1876-18—.

PIONEERS FROM VIRGINIA, NORTH CAROLINA, AND SOUTH CAROLINA—1789-1795.

On Red River: William Johnson, Elias Fort and sons—Rev. Sugg Fort and brother, Josiah Fort; Daniel Holman, John Phipps, Charles and Thomas Kilgore, James Yates, George Bigbee, David and Hugh Henry, Samuel Mason, Augustin Cook, John Bell, Rev. Thomas Plasters.

On Sulphur Fork: Henry, John, and James Gardner; Isaac Dortch; Carr, Holland, and Jonathan Darden; John Hutchison; Col. Archer Cheatham and his brothers, John and Anderson; John Crane, William and Jeremiah Batts, Charles and William Miles, James Norfleet, Elias Fort, Archelaus Mahan, Nathan Clark, John Coutts, James Appleton, David and James Jones, Dr. Richard Nuckolls, Benjamin Porter, Patrick Patterson, Martin Walton, Robert Kerr.

On Caleb's Creek: Caleb Winters, Joseph Washington, Azariah Dunn, Henry Ayres, George Murphy, Rev. William Carter, George Williams, Thomas Farmer, David J. Justice.

On Beaver Dam Creek: Thomas Woodard, Arthur Pitt, John Chambers, James Owens, Joseph Winfield, William Benson, John Krisle, John Draughon, Martin Walton, Meredith Walton, Thomas Baird, Waddy Stark.

On Carr's Creek: Michael Fiser, Matthew Day, James Connell, Jacob Binkley, James Culberson, Jacob Fiser; Henry Johnson, grandfather of Hon. Cave Johnson and William and John Huddleston; Henry Johnson, son of Hon. Cave Johnson.

On Brown's Fork: Henry Frey, Jacob Binkley, Henry Childress, Samuel and William Crockett, Patrick and Thomas Martin.

On Elk Fork: William Fort, James Mitchell, David Smith, Andrew Shanklin, Joseph Wimberly.

On Miller's Creek: Robert Head, Richard James, John Carr, James Bryan, Nicholas Conrad, Jesse Martin, Rev. John Lemaster, James Elliott, Samuel Walker.

On Brush Creek: Col. Benjamin Elliott, Benjamin Jordan, Giles and William Connell, James Atkins, John Stephenson, Mark Noble, Frank Grimes, Matthew Luter, Sr., Matthew Luter, Jr., John and James Yoes.

On Sycamore Creek: Hardy Bryan, James Ventriss, Anthony Hinkle, Shadrick Rawls, Lawrence Clinard.

On Spring Creek: Rev. Joseph Dorris, who built the first shingle-roofed house in the county; Daniel Hysmith.

On Battle Creek: James Jamison, Elisha Pilant, Elisha Belamy.

On Buzzard Creek: Reuben Rose, William Mason, Joseph Perry, Howell Sellars.

On Wartrace Creek: James Bell, Matthew Rose, John McIntosh, John Chowining.

The first settlement made in what is now Robertson County was at Kilgore's Station, in 1779.

We learn that Thomas Kilgore was one of the first settlers in what is now Robertson County. In 1779 he, in company with Moses Mauldon, Ambrose Mauldon, Samuel Mason, Josiah Hawkins, and others, built a fort one mile west of where the village of Cross Plains, in this county, is situated, and called it "Kilgore's Station." Thomas Kilgore lived to be one hundred and eleven years old. He was never known to ride, except one time, always preferring to walk. He never took any medicines until just before his death.

The first settlement made in what is now Robertson County was on Red River, just below where the St. Louis and Southeastern Railroad bridge crosses said stream, by William Johnson, from North Carolina, in 1787. Soon after, Charles Miles, from South Carolina, built a blockhouse near the Sulphur Fork of Red River. Other settlements were made at the mouth of Sulphur Fork, then called "Richland Creek," by James Stewart and William Fort, about 1790. In the following year Kilgore's Station was established by Thomas Kilgore.

THE FIRST CIRCUIT COURT, 1810.

"At a Circuit Court begun and held for the County of Robertson, at the Court House in the town of Springfield on the second Monday in April, 1810, being the 9th day of said month; agreeably to an Act of the General Assembly of the State of Tennessee, passed at Knoxville on the 16th day of November, 1809, entitled 'An Act to establish Circuit Courts and a Supreme Court of Errors and Appeals.' Present the Honorable Parry W. Humphreys, Esq., Judge of the Fifth Circuit of said State of Tennessee."

Thomas Johnson was elected Clerk of said court; George W. L. Marr, Solicitor General.

The first Chancery Court was held in Springfield on Monday, April 1, 1844; Terry H. Cohal, Chancellor, and Edwin M. Reynolds, Clerk and Master.

THE RECORDS OF WASHINGTON COUNTY.

[The original manuscript of the records of Washington County are on file in the archives of the Tennessee Historical Society, having been donated to the society by the County Court of Washington, largely through the instrumentality of Hon. John Allison. These records have never been published. They begin with the establishment of the Court of Pleas and Quarter Sessions by North Carolina in 1778, and continue until the organization of the Southwest Territory in 1790. After the organization of the Southwest Territory, the court was continued with but little modification in name or powers. The character and historical value of these old records are clearly shown by Colonel Allison in one of the most interesting chapters of Tennessee history. By permission we reprint this chapter from his valuable work, entitled "Dropped Stitches in Tennessee History." In this issue of the MAGAZINE we publish the records of this Court for the year 1778. No liberty is taken with the text of the manuscript except, in a few instances, to condense details historically unimportant, and, in a few other instances, to omit the names of parties to criminal proceedings where the publication of the names could serve no historical purpose.]

A UNIQUE COURT.

[From "Dropped Stitches in Tennessee History," Chapter 3.]

There may be mistake, error, fraud, and injustice in court proceedings and judicial records; but when such records were made more than a century ago, and contain some part of the history of the people who made them, and have stood all these years unchallenged and uncontradicted, such records may be safely accepted as truth. In writing of a people more than a century after the period in which they lived—a people who did not have a daily newspaper in their midst to chronicle their deeds and views, and who were in a country between which and other parts of the world there was but little, if any, communication—it is easy indeed for a facile writer to ascribe to them characters which they did not have, views which they did not entertain, and accomplishments with which they were not entitled to be credited, without taking much risk of being contradicted.

The early history of the colonies and "new settlements" in North America is, and has been for many years, a fascinating field for writers; and it must be confessed that too often a little incident or

tradition has been so magnified by a too vivid imagination that it has appeared in print as a very readable, but colossal, falsehood. It is also lamentable that the plain, unvarnished truth of history has, in many instances, been so colored and distorted in the effort to make it romantic that many persons who could have contributed much valuable information in the way of simple facts have not done so, because of a lack of that faculty of imagination which some writers possess to such a degree that they can inform you beforehand that they are going to tell you a lie—in part, at least—and yet will tell it in such beautiful language and in so smooth and plausible a way as to make you believe the whole story.

The Tennessee pioneers did not have any one with them in their earliest days to write an account of their experiences or to portray their lives and characters; nor did they have any newspapers to make a record of their doings in the business concerns and affairs of life; and if they wrote any letters on these matters, they have not been preserved. They had, however, at Jonesboro, a "County Court of Pleas and Quarter Sessions," in which they made and left a record showing much that they did, and from which, even at this late day, we can get a very clear insight into their views as to the duties and responsibilities of citizenship, the power and duty of courts, as well as their notions concerning the business and social relations of life, and, indeed, on all matters which, in their judgment, pertained in any way to the peace, good fame, and welfare of the community and of individuals. I shall, therefore, quote literally much from these old, original records kept in Washington County, the quotations being taken from the records of that county only, for the reason that it was the first county established and organized in what is now Tennessee, and included for quite a time all of the early settlements in what is commonly known as "upper East Tennessee." The same character of entries will no doubt be found in the old records kept in Sullivan, Greene, Davidson, Hawkins, Sumner, Tennessee, and Knox Counties, in all of which Jackson practiced as an attorney or presided as a judge. The proceedings in the courts of the counties named, especially those that will be set out, will be of interest not alone to Tennesseans, but also to the descendants, scattered throughout the Southwest and West, of the men who made these records.

The first session of the court was held at the log cabin of Charles Roberson, near Jonesboro, February 23, 1778. It was composed

of the justices of the peace whose names have been given as subscribers to the oath set out in a preceding chapter. After the court had been organized by electing officers, its first act was to fine John Sevier, Jr., for some minor matter which was gravely denominated "a contempt to the Court." John Sevier, Sr., had just been elected clerk of the court, and was undoubtedly the most influential man in the country, on account of his meritorious character; but this did not shield the son. The fine was not remitted, and there is no evidence that John Sevier, the clerk, endeavored in any way to interpose.

On the second day "William Cocke by his counsel Waightsell Avery moved to be admitted to the office of Clerk of this County of Washington which motion was rejected by the Court knowing that John Sevier was entitled to the office." This is absolutely the whole of the record. It was the first contested election case that occurred west of the Alleghany Mountains, and was between two citizens who became very distinguished—Cocke having been elected one of the first two Senators from Tennessee; while Sevier, after holding all the other offices within the gift of the people of that county, was elected a Representative in Congress and six times chosen Governor of Tennessee. The worthy justices, "knowing," as they said, that Sevier had been elected, without hearing Mr. Cocke, his counsel, or any evidence whatsoever, swore in Sevier as clerk.

These entries follow:

"Ordered that David Hinkley be fined 30 L. for insulting the Court.

"Ordered that Hump Gibson be fined 10 L. for swearing in Court."

Then, after passing upon a motion or two:

"Ordered that Ephriam Dunlap Atty. be fined 5 Dollars for insulting the Court, especially Richard White."

It is not likely that any member of this court had ever held any office prior to his appointment as a justice of the peace therein, and it is not probable that many of them had ever been in a court of any kind before they organized that which they constituted; and yet the record shows that, from the first day of the first term and on through all of the many stormy sessions which they held thereafter, they guarded and defended jealously the dignity of their court and enforced obedience to its mandates. It was a heinous offense, indeed, and visited with condign punishment, to "insult the Court."

The aggregate fines imposed on Sam. Tate at one term amounted to forty thousand pounds;* and while fines were imposed on some one at every term, there are but two entries to be found on the record, from the February term, 1778, to and including the November term, 1790, showing that such fines were remitted.

At the May term, 1778, a somewhat embarrassing question presented itself. Some one of three persons, it would appear, had taken from Samuel Sherrill,** without his consent, his bay gelding, and left the country. They could not, therefore, get any one of the suspected persons into court or in custody, and they must have been in doubt as to which of the three did in fact ride the horse off; so they said:

"On motion it appears that Joshua Williams Johnathan Helms and a certain James Lindley did Feloniously Steal a certain Bay gelding horse from Saml Sherill Senr. Ordered that if the said Saml Sherill can find any property of the said Joshua Williams Johnathan Helms & said Lindley that he take the same into his possession."

So far as the record shows, they never caught any of the defendants; but Sherrill must have got close on them at one time, for, at the August term, the court "ordered that a saddle and coat the property of Joshua Williams be sold and the money arising therefrom be left in the possession of Saml Sherill." They could not capture and punish the thieves, but they could and did authorize Sherrill to seize the property of the rascals wherever he could find it.

The first case of high treason tried by the court was at the August term, 1778. This is the record:

"State

v.

High Treason.

Moses Crawford.

It is the Opinion of the Court that the defendant be imprisoned during the present war with Great Britain, and the Sheriff take the whole of his estate into custody which must be valued by a jury at the next Court and that the one-half of the said estate be kept by the said Sheriff for the use of the State and the other half remitted to the family of defendant."

I have not examined the statute under which this county court tried, convicted, and imprisoned defendants charged with treason,

* Continental currency.

** This was the father of Catherine Sherrill, the "Bonnie Kate" of John Sevier.

and confiscated their property, to see whether or not they had a right to remit one-half of confiscated property to the family of the defendant, for the reason that I do not wish to know how the fact was. I am satisfied with the record as they made it, and leave others to look up the statute.

Having disposed of Crawford—and his property, too—they took up the case of Isaac Buller, whom, as he had neither family nor property, and the evidence, if any was heard (on motion), was a little vague, they simply put in prison until an opportunity should offer to make a better use of him. This is the summary manner in which they disposed of Isaac:

“On motion of Ephriam Dunlap that Isaac Buller Should Be sent to the Contl. Army, and there to Serve three Years or During the War On Hearing the facts it is Ordered by the Court That the said Isaac Buller Be Immediately Committed to Gaol and there Safely kept until the said Isaac can be delivered unto A Continentl Officer to be Conveyed to Head Quarters.”

At the February term, 1779, the court made and entered of record an order prescribing the charges that tavern keepers might exact from guests, as follows:

“Diet 08s. 0: Lodging 1 night good bed and clean sheets 1s. 6d: Rum Wine or Brandy 3L. 4s. 0: Toddy pr Quart, & sprts of Rum therein 8s. 0. and so in proportion. Corn or Oats per Gal 4s. 0: Stabledge with hay or fodder 24 hrs 4s. 0: Pasturage 24 hrs. 2s: Cyder pr qrt 4s. 0: Bear pr qrt 2s. 0: Whisky pr Gallon 2L. 0. 0:”

After they had put the above on record, they entered upon the trial of their second case of a very high crime, as the following entry shows:

“State

vs.

For Treason Feby 1779

George Leivis.

On hearing the facts and considering the testimony of the Witnesses It is the Opinion of the Court That the defendant be sent to the District Gaol It Apg. To the Court that the said Leivis is a spie or An Officer from Florida out of the English Army.”

At this term, besides transacting routine business, they tried ten persons on charges of treason, convicted five of them, ordered their property confiscated, and sent them to the district jail at Salisbury—and the entire record of the term is contained on twelve pages!

If this court could have been transferred to the more intelligent States of Massachusetts or New Hampshire, and had held a few terms therein, "Shays' rebellion" would have been crushed out in a week, or all the "gaols" would have been filled with the rebellious and the public treasury with the proceeds of confiscated property. These patriots were in earnest.

At the May term, 1779, two entries appear as having been made on the same day, which show two sides of this remarkable court. The first entry is as follows:

"State

v.

For stealing a Ploughshear, hogs and some other

Pat Murphey

Things

The Court are of Opinion that the defendant pay 33L. 6s. 8d. to Zachr. Isbell for his Hog & 26L. 13s. 4 to Thos. Evans for his Hog and ten pounds fine And also receive Twenty Lashes on his bare Back well laid on by the Sheriff or Deputy."

The other entry was:

"Ordered that John Murphey be fined the sum of Twenty pounds for Ill Treatment to his reputed father Pat Murphey."

The court said that, in its opinion, Pat. Murphey was a bad man—and he was, as other cases in the records against him show; and they had him whipped, fined him, and, under the operation of the court's adjustable jurisdiction, rendered judgment against him in a criminal case for the value of two hogs; but these "backwoods" justices of the peace said to the reputed son of this old and hardened criminal that "Ill Treatment" of a father, by even a reputed son, would not be tolerated in that community.

At this May term, and following the entries just given, is another, which, in a few words and (so far as the record shows) without any previous notice, deprives a citizen of his liberty and of further opportunity to do harm to "the common cause of liberty," on the mere motion of the State's attorney. Here it is:

"On motion of E. Dunlap State Attorney it is ordered that John Holly for his Ill practices in Harboring and Abetting disorderly persons who are prejudicial and Inimical to the Common Cause of Liberty and Frequently Disturbing our public Tranquility in Genl. be Imprisoned for the Term & Time of One Year."

Up to the date of the entry of this order imprisoning John Holly "for the term and time of one year," on the mere motion of the

State's attorney, the record shows a little more formality in convictions for treason and the confiscation of property, as it will appear from the recitals that the court, "on considering the facts," or "on hearing the witnesses [or evidence]," "are of opinion," etc.

It is very doubtful whether there can be found (outside of Tennessee) another such judicial record as this one, made and entered on a mere motion, without the accused having previous notice or (so far as the record shows) being present in person or by attorney, and without any evidence being heard to support the charge, embodied in the motion, that Holly was an enemy to the public tranquillity generally and guilty of other specified offenses. It is safe to assume, however, that the court "knew" he was guilty, as they "knew" that John Sevier was entitled to the office of clerk when they dismissed Cocke's contest without hearing him at all.

At this term the court "nominated and appointed John Sevier, Jesse Walton and Zachr. Isbell to take into possession such property as should be confiscated," and they gave "bond as such commissioners in the sum of Five Hundred and Fifty Thousand pounds."

And they had the "tax dodger" with them also, as early as August, 1779—the good citizen who always wants his full share of attention and protection by the law, without paying his just proportion of the taxes to support the government; but he could not escape this court's resourceful remedies for all exigencies. Here is given the disposition of the case:

"Ordered that the Sheriff Collect from Wm. More four fold: his Taxable property being appraised by the Best Information that John Woods, Jacob Brown & Johnathan Tipton Assessors could get—to the sum of Eight thousand pounds."

Even the smart and rascally tax dodger could not evade the law, with a court like that one to take hold of him.

At the May term, 1780, it was "Ord. that a fine of One Hundred pounds be imposed on John Chisholm Esqr for being Guilty of Striking and Beating Abram Denton in the Court Yard also Disturbing the peace and Decorum of the Court and that the Clerk issue an execution for the same." This fine is here set out for the reason that John Chisholm was one of the first justices appointed for the county—he was at the time a member of the court that imposed this fine—and, as the records show, was wealthy and prominent in public affairs, being trusted with various appointments by the court; and yet he did not escape the hand of correction so often

laid on offenders by the court in one or another way. The offense for which he was fined was committed, not in the presence of the court, but out in the court yard. I very much doubt if an instance prior to this one can be found where the limits within which it has been held that a contempt of court could be committed have been so extended as to include the court yard.

At the November term, 1780, the court formulated and entered the following very remarkable order:

"The Court appointed John Sevier, William Cobb, Thomas Houghton and Andrew Greer Commissioners for the County to be Judges of the Different kinds of paper Emissions in Circulation in this County or may be hereafter, in order to prevent frauds and Impositions that might be committed on said County, and for the purpose of Detecting and Suppressing Coins of this kind, who shall be the Judges & Viewers of all such Monies."

The record recites that these commissioners and judges "took the oath and entered into bond for the performance of sd Trust."

At the time these four gentlemen were appointed as a high commission to be "judges and viewers" of the currency of the realm, and "detectors and suppressers" of spurious or counterfeit "coins" and "paper emissions in circulation," all kinds of "such monies" seem to have got into "the new world west of the Alleghanies;" for, at the same term of the court making the order regulating the charges of tavern keepers, referred to above, two rates or schedules were prescribed—one in "paper emissions," the other in "coins." The order of the County Court creating this commission and investing it with power to "view" and "judge" of the genuineness of the circulating medium, and to detect and suppress such of it as should be adjudged fraudulent, does not point out the way, lay down any rules, or provide any method for the guidance and direction of the commission in the exercise of the powers given or the discharge of the duties imposed. It says simply what they shall do, or rather what they have been appointed to do, and then leaves them to do it. That they found out an effective way to exercise their powers there is not a doubt. They did not need to be given "mandatory" power. "Counterfeiters" had been "dealt with," before this domestic monetary commission was created, by some of the same men who constituted the commission.

One of the most delicate and difficult duties that devolved upon this commission, under the terms of the order creating it—particu-

larly the words, "in order to prevent frauds and impositions that might be committed," etc.—was in cases where a question was raised as to the genuineness of the money offered in payment by a citizen known to be upright and free from any suspicion of handling spurious money, to another equally honest, who refused it because he was doubtful as to its being "good money." The "judges and viewers" were called in to take action, and had to decide in effect whether or not the money offered was a "legal tender." Their decision was accepted, and henceforth that particular money circulated, if so ordered, without question, and performed all the functions of money, whether it was in fact genuine or spurious; if the decision was adverse, that money was thenceforth worthless.

As an incident of the power and authority vested in these "judges and viewers," arose the question occasionally of guilt or innocence, when a charge of counterfeiting or of willfully and knowingly passing spurious money was preferred. The person so charged was tried before the high currency commission, and its finding or judgment not only settled the question of the guilt or innocence of the accused, but made the particular currency involved either "sound money" or counterfeit in that entire country. John Sevier, according to tradition, was chairman of the commission; if his name was written on the "paper emission," it passed current thereafter, and when offered in payment was a "legal tender."

The court also "Ordered that Capt. John Patterson deliver unto John Halley a Certain Rifle Gun being the property of said John Halley."

Some very serious difference or grave misunderstanding between the court and Mr. James Gibson must have occurred at the November term, 1780, or at some time previous, if the record left in reference thereto be correct—and who would doubt it? Whether or not the court intended to suppress freedom of speech generally, it must be admitted that its action toward Gibson would certainly tend toward suppressing the public expression of a want of confidence in the integrity of that court, and putting a stop to the practice of "throwing out speeches" against it. The record relates that

"James Gibson being brought before the Court, for throughing Out Speeches Against the Court, to-wit,—Saying that the Court was purjured and would not do justice, and Other Glareing Insults. The Court On Considering the matter are of Opinion that the said James Gibson is guilty of a flagrant Breach of The peace & for the

same and the glaring and Dareing insults offered to the Court do order that the said James Gibson be fined the sum of fifteen thousand pounds & that he be kept in custody until same is secured."

Gibson, as the record shows, secured the fine. It is not to be supposed that any of the "speeches" which he had been "throwing out" were made in the court room or in hearing of the court, because the record states that he was "brought before the court." When and where he assailed this august body does not appear. This did not matter to them; their jurisdiction was as wide as the universe, and their power to punish him unquestionable, as they believed. The fine imposed on John Chisholm, a member of the court, for striking and beating Abram Denton out in the court yard; the fine imposed on John Murphey for "ill treatment" of his reputed father, no doubt at home; the order directing Captain Patterson to deliver "unto John Halley" a gun decided by the court to be "the property of said John Halley;" the method employed to punish Gibson; the creation of a commission to determine in effect what money should or should not be a legal tender, as well as the other matters, hereafter to be related, to which they gave attention, show that this remarkable court had no idea of having its powers limited and defined or its jurisdiction circumscribed.

Only two orders of the May term, 1781, will be noticed. The first is: "Ord, that Saml Tate be fined the sum of ten thousand pounds* for a contempt of Court and that the Clerk issue F. Facious vs his estate for the same." On a subsequent day of the term the clerk acknowledges the receipt of the fine imposed on Tate. The other order is: "Ordered that Jesse Greer be fined the sum of One Hundred pounds for a Contempt offered to the Court &c in refusing to deliver unto the Widow Dyckes her property as Directed By Order of the Court." Under their rules of practice, they did not require "the Widow Dyckes" to employ a lawyer and bring an action of replevin against Greer; they had heard the case at a former term "on motion," without stating on the record who made the motion, and had directed Greer to deliver the property in question to the Widow Dyckes, which he had refused to do. They did not require her to employ counsel to sue Greer and recover a judgment for the value of the property detained from her, issue execution, levy on and sell the property to satisfy the judgment; they made use of a

*It must constantly be kept in mind that these apparently enormous sums were in Continental currency.

much more direct method, by holding Mr. Greer liable for contempt and resorting to their favorite mode of administering justice without delay—to wit, “on motion” and “ordered.”

At the May term, 1782, nothing of any considerable consequence was done. The court “nominated and appointed John Sevier William Cocke and Valentine Sevier Commissioners of Confiscation for the year 1782, whereupon sd. Comr’s entered into bond with security for the sum of Fifteen Thousand pounds, Specie.”

The court, at this term, gave to a citizen who had evidently been “hiding out” permission to return to the settlements, as the following order shows:

“On motion that Joshua Baulding should be admitted to come in and Remain henceforth peaceably in this County. On proviso, that he comply with the Laws provided for persons being inimical to the State and have Rendered Service that will expiate any Crime that he has been Guilty of inimical to this State or the United States. The Court on considering the same Grant the sd Leave.”

This order, and others similar to it, which are not given place in this chapter, serve to establish beyond question the intense loyalty of the members of the court to “the common cause of liberty” (as the struggle of the Americans then going on against Great Britain was always designated), and also the vigilance with which they must have scrutinized the conduct of each individual. There can be no doubt that Baulding had fled and was hiding in the hills or mountains, and that he knew it would not be safe to return or “come in” without the permission of the court.

The August term, 1782, was one of the most memorable in the history of the court. It was a “Court of Oyer and Terminer & Genl. Gaol Delivery,” as well as for other county purposes. At this term it was presided over for the first time by a judge—“the Honl. Spruce McCay Esqr Present and Presiding.” He had the court opened by proclamation and with all the formality and solemnity characterizing the opening of the English courts.

On the first day of the term John Vann was found guilty, by a jury, of horse stealing, the punishment for which at that time was death. On the same day the record contains an entry to the effect that “the Jury who passed upon the Tryal of John Vann beg Leave to Recommend him to the Court for Mercy;” but no mercy was shown him by “the Honl. Spruce McCay Esqr,” as the record discloses further along. During the week two more unfortunates—

Isaac Chote and William White—were found guilty of horse stealing; and, on the last day of the term (August 20), Judge McCay disposed of all three of these criminals in one order, as follows: "Ord that John Vann Isaac Chote & Wm White now Under Sentence of Death be executed on the tenth day of September next." This is the whole of the entry.

The Judge was mistaken in saying that the three persons named in the order were "under sentence of death." No such sentence is to be found of record; all that appears is an entry of the style of the case, as "State vs " etc., in each case, and the entry opposite the case, that "the jury sworn to pass upon the Tryal do find the defendant guilty in manner and form as charged in the indictment;" but there is no formal sentence of death entered of record in either of the three cases. It is not probable that a parallel proceeding can be found in judicial history. Judge McCay utterly ignored the unanimous action of the jury who recommended John Vann to the mercy of the court. Can a case be found where a judge, in the United States, ever refused mercy to a criminal who was commended to him for mercy by the jury that found him guilty? Can another case be found where a judge caused three persons to be "executed" by one order, consisting of five lines and seventeen words, exclusive of the names of the criminals?

Judge McCay omits entirely to direct the method of executing the three criminals—he does not say whether they shall be hanged, shot, burned, or drowned—but they were executed, either with rope, rifle, or tomahawk, according to the good taste of the sheriff or the wishes of the defendants.

Tradition in that country gave Judge McCay the character of a heartless tyrant. He was said, while judge, to have always been on one side or the other of suits tried before him, and he never failed to let it be known which side he was on. He frequently indulged in lecturing, not to say abusing, juries publicly, when they returned verdicts contrary to his wishes and instructions. But "the Honl. Spruce McCay Esqr" found his match in the juries. They could not be driven or intimidated into giving verdicts contrary to their convictions; and whenever they differed with the Judge—and they always knew his views—in a case of weight or serious results, they would deliberately disperse, go to their homes, and not return any more during that term of court. In a case styled "State vs Taylor," the record shows that the jury was sworn

and the defendant put on "Tryal." Nothing more appears except the following significant entry: "State vs. Taylor. The jury having failed to come back into court, it is therefore a mistrial."

Judge McCay may only have been, as has been said of him, "a man of strong character, determined and fearless in discharging his duty;" but so were the juries in that county, as the records show.

At the May term, 1783, there was made an entry which, when taken in connection with one which will be given immediately after it, will show how wisely these pioneers judged of men, and how necessary, sometimes, it was for them to take measures which at the time appeared harsh and cruel. The first entry is as follows:

"On petition of Lewis & Elias Pybourn that they who is, at this time Lying out and keep themselves Secreted from Justice that the Court would permit them to Return to their Respective Houses and places of abode and Them the said Lewis & Elias Pybourn to give bond and sufficient Security for their Good behavior &c. The Court on consideration of the matter do Grant and Give Leave unto said Elias and Lewis Pybourn to Return accordingly on their giving bond & approved security to Capt. John Newman for their Good behavior &c."

A final entry, made in the "Superior Court of Law and Equity," at Jonesboro, seven years later—at the August term, 1790—in the case of the "State of North Carolina Against Elias Pybourn for Horse Stealing," justifies the members of the Court of Pleas and Quarter Sessions in having required Elias Pybourn to give security for his future good behavior. The full entry is as follows:

"The defendant being called to the Bar and asked if he had anything to say why sentence should not be passed upon him Saith Nothing. It is therefore Ordered that the said Elias Pybourn be confined in the publick Pillory one Hour. That he have both his ears nailed to the Pillory and severed from his Head; That he receive at the publick Whipping post thirty nine lashes well laid On; and be branded on the Right cheek with the letter H, and on his left cheek with the letter T. and that the Sheriff of Washington County put this sentence in execution between the hours of Twelve and Two this day."

Horrible, awful punishment! Marked for life; a description of his crime burned on and into his face with a hot iron—"Horse Thief;" both of his ears cut off close up to his head. What a hide-

ous spectacle! Was the mark placed upon Cain by the Almighty such that when people met him they said, "Let him alone; keep your hands off him; he has been punished sufficiently already?" Would not people say the same of poor, debased, degraded Pybourn?

Was the punishment inflicted on Pybourn barbarous? Yes; but the court had warned him of the wrath to come, and had first made him flee to the forest for safety—better had he gone to the Indians—and had then given him permission to return to his home, on condition that he would reform and behave himself. The only entry found in the whole of the records to soften in the slightest degree the harsh and (it may be said) inhuman punishment meted out to Pybourn, is one that suggests the horror that came over one Joseph Culton, when he discovered, after he had emerged from a single combat with Charles Young, that the latter had bitten off one of his ears. Culton, of course, regretted the loss of his ear, and was still more annoyed to be thus disfigured for life; but these were the least of his troubles—somebody thereafter might think that he had been "cropped" for crime. What was he to do? He appeared at the November term, 1788, of the Court of Pleas and Quarter Sessions, whose jurisdiction knew no limits as to venue, time when, or subject-matter, and the following entry was made for his relief and protection from suspicion:

"Joseph Culton comes into Court and Proved by Oath of Alexander Moffit that he lost a part of his left Ear in a fight with a certain Charles Young and prays the same to be entered of record. Ordered therefore that the same be Admitted Accordingly."

It is not probable that any one ever examined this entry and demanded to see the page whereon the lost ear had been formally entered of record; but it is certain that Joseph Culton carried with him constantly a certified copy of the entry which attested that he had been maimed in honorable combat, and not as a punishment for violation of law.

This wonderful County Court, before and since which there has been none like it, adapted or adjusted its jurisdictional powers and methods to all matters, questions, and conditions that could be brought in any way to its notice. When a stranger came into the community, it did not content itself with letting him alone, no matter how quietly and orderly he might conduct himself; it had him interviewed, as the entry here quoted will prove:

"The Court Order that Wm Clary a trancient person give security for his behavior, and return to his family within five months, as the said Clary is without any pass or recommendation and confesses he left his family and have taken up with another woman."

The most that the average detective could have got out of Clary would have been that he came from—where he started, and was going—where he went; but the court found out more than this about him, and they must have got it from his own mouth, as the order, after reciting facts that they could have got from him only, concludes by setting forth a very damaging confession which he had made, and which, all will agree, justified the court in requiring security of him for his behavior while he might remain in their midst, and peremptorily ordering him to return to his family within a stated time.

By the time of the meeting of the August term, 1784, the court had pretty well purged the country of traitors, horse thieves, "trancients," etc. At this term the court seems to have turned its attention to the ugly habits of some of the very respectable; for, on the first day of the term, as the record shows, fines were imposed and paid as follows: "Eml. Carter three prophane oaths 8s. 10d. pd: Pharoh Cobb four prophane oaths 10s. 8d. pd: Buckner Nantz One prophane swearing Oath prays mercy Granted: Valentine Sevier for prophanely swearing 4 Oaths fined 10s. 8d. pd: Mark Mitchell for swearing One prophane Oath fined 2s. 8d. Patrick Murphey One Oath, Michael Tylloy Two Oaths." This treatment seems to have been effective; for, no fines being recorded after the first day, it is reasonably sure that no "prophane oaths" were indulged in during the remainder of the term, at least in hearing of the court.

As a result of the many battles with the Indians and the numerous Indian massacres which had occurred, numbers of children were left without fathers or mothers. They had no orphan asylum, but the records of the court show that homes were provided for these wards, nevertheless, by the Watauga and King's Mountain heroes. They had no county asylum for the poor; but the County Court, whose jurisdiction could be extended to meet all emergencies, "ordered" some citizen by name to "take and keep" the person named therein for the time specified. These orders contained no recital that they were made by the consent of any one; they emanated from the inherent power and duty of the court, as it believed, to provide for the poor.

The entries and orders selected from these old records are given, in order that those who wish to know something of the views, characters, and abilities of the very earliest pioneers of Tennessee may read for themselves the views and opinions which they placed in solemn form on court records, in reference to the various matters, questions, and conditions on which, as they thought, the vicissitudes of the times made it necessary for them to take action. I wish to give, at this place, two more orders of the court, before closing this chapter. At the November term, 1784, the following was entered on the record:

“The Court recommend that there be a Court House built in the following manner, to wit: 24 feet square diamond corners and hewed down after the same is built up, 9 feet high between the two floors, and the body of the house 4 feet high above the upper floor, each floor to be neatly laid with plank. The roof to be of joint shingles neatly hung on with pegs, a Justices bench, A lawyers and a Clerks bar, also a Sheriffs box to sit in.”

At the November term, 1785, the following was entered:

“The Court Ordered that Col'o Charles Roberson be allowed fifty pounds Current money for the building of the Court House in the Town of Jones Borough.”

As this was the first courthouse erected in what is now Tennessee, and the one in which Andrew Jackson, John McNairy, Archibald Roane, William Cocke, David Campbell, and others began their professional careers, and in and about which John Sevier, though not a lawyer, rendered so much and such invaluable service in laying the foundations of our State and its civil as well as military institutions, I have had it reproduced, and present a picture of it in this little volume. From what has been said, and from the records which have been quoted, the imagination can picture the scenes and proceedings occurring in this “temple of justice”—for such it was, although made of logs “hewed down” and the covering “hung on with pegs.”

These early records challenge comparison, in spirit, form, and substance, with any others made during the same period in any community, country, or State in the United States. No patriotic, intelligent people can read them without being filled with admiration and inspired with respect and reverence for the men who made them. They said, on the first day of the first term of the court, The

court must be respected. To the cruel son, You shall not illtreat your father, though he be a criminal; to the vagrant without a "pass or recommendation," You must give security for your behavior or leave the community; to the man who had abandoned his wife, You must return to your family; to the strong and influential, You must render unto the widow her own, or we will force you to do so by fines that will make you glad to obey; to the tax dodger, You shall pay your proportion of the taxes; to a member of the court, No matter what your position is, if you cruelly beat your neighbor, we will take from you a large part of your wealth and turn it into the public treasury; to the man who was "throwing out speeches" calculated to destroy the influence of the court for good, You must not malign the court, no matter when nor where—if you do, we will lay the heavy hand of summary punishment upon you; to such as were stirring up sedition and opposition to "the common cause of liberty," You shall not remain openly and peaceably in the community without giving security for your good conduct; to thieves, We will fine, whip, brand, and hang you; to Tories, We will confiscate your property and imprison you; to the British, We will meet and fight you on every field, from the mountains to the sea; to the Indians, We will fight you, too, from the mountains to the lakes and the gulf. And they did it all. Who could have done more? They were heroes, one and all; but history, it seems, has long since given them over to oblivion.

Although, in 1788, they had passed through a "general insurrection of the times," as chronicled by the clerk of the court under the State of Franklin, and had no doubt come out somewhat demoralized, still the habit of doing what they believed to be right was so strongly imbedded in their natures that, at a term of court (February, 1788) held after its reorganization following the Franklin collapse, they imposed upon and collected from one of the most prominent citizens of the county a fine for swearing in the court yard. The record recites that "Leroy Taylor came into Court and pays into the Office the fine prescribed by Acts of Assembly for one profane Oath which was accepted of. Ordered therefore that he be discharged. 21s." Leroy Taylor was elected from Washington County as a delegate to the Constitutional Convention of 1796, and was kept in the General Assembly almost continuously for eight or ten sessions after Tennessee was admitted into the Union; he was the author and introducer of the first resolution offered in the Gen-

eral Assembly (in 1801), raising a committee to prepare a design for the great seal of the State of Tennessee; but, with all his prominence, he could not with impunity make use of even "one profane oath" in hearing of the County Court of Washington County.

The achievements of these old pioneers will run, however, "like the covenants of warranty with the land" they loved so well. A few glimmering memories, a few dim traditions, some scattered fragments of stories—these are all that is left (outside the old court records alluded to) of many of these men, every one of whom was a giant in morals and a Colossus in intellect, as compared with many modern pygmies whose little deeds have been magnified into great achievements.

If the structures of State, county, and municipal institutions in Tennessee, and the social fabric as well, had been kept in harmony with the pure, simple, steadfast, and enduring foundations laid by John Sevier and his contemporaries, what models we would have to-day for the world to imitate! Are we wiser or better than they? Read and study these old records; then answer.

FEBRUARY TERM—1778.

THE OATHS OF THE JUSTICES OF THE PEACE.

Washington County.

I, A. B., do solemnly swear that as a justice of the Peace and as justice of the County Court of Pleas and Quarter sessions in the County of Washington in all articles in the Commission to me directed I will do equal right to the poor and to the Rich to the Best of my judgment and according to the Laws of the State.

I will not privately or openly by myself or any other person be of Council in any Quarel or Suit depending Before me. And I will hold the County Court and Quarter sessions of my County as the Statutes in that case shall and may direct. The fines and amercements that shall happen to be made and the forfeitures that shall be incurred I will cause to be duly entered without concealment. I will not wittingly or willingly take by myself or by any other person for me any fee, gift, gratuity or reward whatsoever for any matter or thing by me to be done by virtue of my office except such fees as are or may be directed and Limited by Statute; but well and Truly I will do my office of a Justice of the Peace as well within the County Court of Pleas and Quarter sessions as without. I will not delay any person of common right by reason of any Letter or Order

from any person or persons in authority to me directed or for any other cause whatever; and if any Letter or Order come to me contrary to Law I will proceed to enforce the Law such letter or order notwithstanding.

I will not direct or cause to be directed any warrant by me to be maid to the parties; But will direct all such warrants to the Sheriff or Constables of the County or other the officers or ministers of the State or other Indifferent persons to do execution thereof—and finally in all things belonging to my office during my continuance therein I will faithfully, Truly and Justly according to the best of my skill and Judgment do equal and Impartial Justice to the Public and to Individuals.

So help me God—

Jas. Robertson
Valentine Sevier

John Carter
John Sevier
Jacob Womack
Robert Lucas
Andw Greer
John Shelby, Jr.
George Russill
William Been
Zacr. Isbell
Jno. McNabb
Tho: Houghton

William Clark
Jno McMaihen
Benjamin Gist
J. Chisholm
Joseph Willson
William Cobb
James Stuart
Michl. Woods
Richard White
Benjamin Wilson
Charles Roberson
William McNabb
Thos Price
Jesse Walton.

At a Court begun and held for the County of Washington the
23rd of February 1778

Present

John Carter, Cha.

John Sevier
Jacob Womack
Robert Lucas
And. Greer
John Shelby
George Russell
William Bean
Zachariah Isbell
Jno. McNabb
Thomas Houghton
William Clark

John McMahon
Benjamin Gest
John Chisholm
Joseph Willson
William Cobb
James Stuart
Michael Woods
Richard White
Benjamin Willson
James Robertson &
Valentine Sevier

Esqrs.

Took the oaths as prescribed by Law and proceeded to Business accordingly.

Adjourned till to-morrow morning ten o'clock.

Tuesday met according to adjournment

John Sevier chosen Clark for the County
Valentine Sevier Sheriff
James Stuart Surveyor
John Carter Entry taker
John McMahon Register
& Jacob Womack Stray master.

Adjourned till to-morrow nine o'clock

Wednesday morning—met according to adjournment

Ord. that Amos Bird and John Smith be jurors to attend the next Supreme Court for the district of Salisbury

Elijah Robertson *vs* Robert Sevier for an assault—Ordered that Robert Sevier be bound to his good behavior and enter into Recognizance with two securities in the sum of Ten pounds himself (and five pounds each of his security) for his good behavior for the Time and Term of Twelve months.

William Parker and Wm McNabb entered themselves Robt. Sevier's security for his good behavior

Ordered that James Mauldin, Josiah Hoskins and John Higgons be appointed to assess all the taxable property of the people living above the Iron Mountain in this county.

Ordered that Benjamin Cobb, Solomon Smith and Wm Asher be appointed to assess all the taxable property of the people—

Thursday—Ordered that John McNabb be appointed Coroner of the County. Court adjourned till Court in Course

John Carter
John McNabb
Michl. Woods
George Russell
Benjamin Wilson
Robert Lucas

At a Court begun and held on the 25th day of May 1778 at the house of Charles Robertson

Present

Richard White
Jacob Womack
Thomas Houghton
Benjamin Willson
John Chishom
Benjamin Gest

Michael Woods
Joseph Willson
Jno McNabb
William Clark
& George Russell

Esqs.

State

vs.

Zekle —————

Ordered that the defendant be committed to Gaol Immediately and be kept in custody until he can be conveniently delivered to a Continental officer.

Monday—May Court

Wm Aikin

Jas Hollis

Amos Bird

John Nave

Arthur Cobb

John Dunham

Peter McLemee

John Patterson (ab.)

Nathaniel Clark

Jas. Willson

Drury Goodin

Chas. Gentry (ab)

Jacob Brown

David Hughes (ab)

Joseph Fowler (ab)

Robt. Shurley (ab)

Jas Grymes

Robt. Blackburn

John Clark

Hosea Stout

Andrew Bunton (ab)

John Hoskins

Ning Hoskins

Grand Jurymen

Tuesday—Met according to adjournment

Ordered: that David Hicky be fined five pounds for Insulting the Court. Chas. Robertson, Jr., entered security for the payment of the same at Laying next par. Leae y

Tuesday 26th May.

Emmanuel Carter presented to the Court four pounds five shillings and four pence being the residue left of the price after deducting Constable fees and paying John Chisholm £2, 14 of a certain horse and saddle sold by order of Col. Carter belonging to Robert ————— who maid his escape from Emmanuel Carter after being committed to gaol on suspicion of horse stealing and said money ordered to be left in hands of the Clark.

May Court—Tuesday the 26th day 1778

State

vs.

Jacob Brown.

Ordered that Jacob Brown give security for one hundred pounds himself and two securities in the sum of fifty pounds each.

William Clark Esq and John Nave entered themselves security

for the defendant's good behavior for twelve months towards the State and especially towards Amos Bird.

Anne Bullar maid oath that she attended at Court in behalf of Amos Bird plttf. vs. Jacob Brown defdt. thrée days and supposed to be 25 miles and is also allowed one day for returning home.

John Shurley attended two days at Court in Behalf of Amos Bird plttf. vs. Jacob Brown defdt. the distance supposed to be 15 miles.

Eduard Shurley attended 2 days at Court in behalf of Amos Bird plttf. vs. Jacob Brown dftd. supposed to be 14 miles.

On motion it is ordered that Joseph Bullar give security for his personal appearance at the next Court, himself one hundred pounds and two securities in the sum of fifty pounds each. Edward Hobson and William Trimble acknowledged themselves his security.

Tuesday 26th May.

Ordered that Zekle ——— be discharged by the Sheriff he the said ——— having enlisted into the Continental Service.

James Grymes' earmark a crop in the Left ear and underkeel in the same, also a slitt in the ear, and the same is ordered to be recorded.

Ordered that the Clark cause the Sheriff to summons a jury or jurys to try the defendant, Cavits entered with the Entry taker and returned to this Court, and that they make report to next Court according to Act of Assembly.

Wednesday morning met according to adjournment.

State

vs.

James Bradley.

Ordered that defdt. enter into security for his appearance at next Court in the sum of fifty pounds for himself and two securities in the sum of twenty five pounds each. Thomas Price and Joseph Bullar acknowledged themselves his security.

Ordered that John Tye be summoned to appear next Court vs. Shadrack Moory.

Ordered that Jas. English be summoned as witness vs. Shadrack Moory the next Court.

William Bayley Smith

vs.

James Smith

Judgmt. acedg. to acct. proved. Land ordered to be sold and the accounts on James' Books condemned to use of plttf.

John Sevier

vs.

Richd. Davis.

Attchmt. dis. plttfs. cost.

.

The State

vs.

Elijah _____

It is the opinion of the Court that the defdt. be committed to the District gaol for further trial and that defdt. be immediately confined or give two sufficient securities for his appearance at the next Superior Court to be held for the district of Salisbury for the sum of one thousand pounds for himself and five hundred pounds each security.

Thomas Price and William McNabb Esqrs came into Court and acknowledged themselves the defdts. security for his appearance at the Superior Court to be held at Salisbury the 5th day of September next to be Levied of their Goods and Chattels.

Charles Robertson came into Court and acknowledged the conveyance of 640 acres of land unto Matthew Talbert and the same is ordered recorded.

Chas. Robertson Esq came into Court and acknowledged the conveyance of 115 acres of land unto Matthew Arthur and the same is ordered to be recorded.

The Last Will and Testament of John Cox decd. was duly proveyd by the oaths of Col. John Carter and Emanuel Carter and the same is to be recorded.

May 27 1778.

Ordered that a commission be directed to Isaac Shelby and James Montgomery Esqrs. to take the deposition of Robert Callwell and Edmund Waring in behalf of Elijah _____

On motion it appears that _____ and _____ and _____ did feloniously steal a certain bay gelding from Saml. Sherrill Sr

Ordered that if the sd. Saml. Sherrill can find any property of the said _____ and _____ and _____ that he take the same into his possession, he first Leaving bond and security with the County Clark payable to the Court in behalf of said _____

and ——— and ——— for the safe keeping the same until
Lawfully called for.

Court adjourned till Court in course.

Charles Robertson
Robert Lucas
Jno McNabb
Wm McNabb
Benjamin Wilson

August Term 1778—

At a Court Begun and held for the County of Washington.
The 24th day of August 1778.)

Present

Jacob Womack

Joseph Willson	John Shelley
Thomas Houghton	Michl. Wood
Andrew Greer	Joseph Walton
William Been	Wm McNabb
William Clark	John McNabb
Zachr. Isbell	Robt. Lucas
Benjamin Willson	William Cobb
Benjamin Gist	

State

vs.

Shadrick Morris.

It is the opinion of the Court that the Defendt. Give Security for his Good Behavior in the sum of Two Hundred pounds himself and Two securities in the sum of One Hundred pounds Each for his Good behavior for the Time of Twelve months.

Shadrick Morris came into Court and acknowledged himself indebted in the sum of 200 pounds. John Gibson acknowledged himself Indebted in the sum of 100 pounds. John Durham acknowledged himself Indebted the sum of 100 pounds. To be Levied of there Goods & Chattles Respectively.

Monday 24th Aug. 1778.

William Cockey by His Council Waightsil Avery Attorney moved to be Admitted to the Office of Clerk of the County of Washington—which motion was Rejected by the Court Knowing that John Sevier was Intitled to the Office.

Court adjourned till to-morrow 9 o'clock.

Tuesday 25th day.

Met according to adjournment.

Present the Worshipful

Jacob Womack

Michael Woods

Zachariah Isbell

Wm Clark

Geo. Russell

Wm Been

Jno. Chisom

Joseph Willson

Jesse Walton

Jno. McKnabb

Thos. Houghton

Esqs.

The Sheriff returns here into Court a Certain declaration in the trespass and ejectment at the suit of Solomon Saveall on the demise of Geo. Wilford and Catherrin Adams against Simpleton Spendall with a certain notice on the back of said declaration copy whereof was served by the said Sheriff upon Jno. Clark as tenant in possession of the premises, advising him to make himself Deft. in the stead of Simpleton Spendall, otherwise the said John would be turned out of possession.

On motion of Waightstill Avery, Atty for Jno. Clark, it is the opinion of the Court that the suit be dismissed.

Tuesday 25th Aug. 1778.

The Sheriff returns here into Court a Certain Declaration in the Trespass and ejectment at the suit of Solomon Saveall on the Demise of Geo. Willfong and Catherin Adams Against Simpleton Spendall. With a Certain notice on the back of said declaration, a copy whereof was served by the said Sheriff upon John Redding as Tennant in possession of the premises advising him to make himself defendant instead of the said Simpleton Spendall. Otherwise the said John would be turned out of Possession.

On Motion of Waighstil Avery Attorney for Jno. Redding. It is the Opinion of the Court that the suite be Dismist.

On petition of Amos Gavin sitting Forth that he has built a Grist mill on Roans Creek, he only being proprietor of the Land on One side of the Creek and that James Manden owns the Land on the Other Side, and that the said James be summoned to Apear at the Next Court to Answer said petition which it is commanded that said James be summoned.

The State to Moses Crawford—

It is
the

opinion vs the Court

That the defendant be Imprisoned during the present War with Great Brittain, and the Sheriff take the whole of his Estate into Custody, which must be valued by a Jury at the next Court, and that the One half of the said Estate Be kept by said Sheriff for the use of the State, and the Other Half remitted to the family of the Defdt.

The Conveyance of 640 Acres of Land from Charles Robertson and Suzanah his Wife to Joshua Houghton was proven by the Oath of Tho. Houghton Esq.

The Conveyance of 587 acres of Land from Chas. Robertson and Suzanah his Wife Was proven by the Oath of Tho. Houghton Esq. The same is Ordered to be recorded.

On Motion it is the Opinion of the Court that Saml Tate pay the sum of 2 per cent to the Chairman for insulting sd. Court, which the said Saml. Tate have accordingly paid to J. Womack Esq.

Jno. More came into Open Court and acknowledged the conveyance of 320 acres of Land unto Cleaver Barksill, and the same is ordered to be recorded.

On private Exam. of Suzanah Robertson it appears that she was willing that her husband Charles Robertson should convey Two certain Tracts of Land unto Joshua Houghton, viz , one for the no. 640 acres and the Other for 587.

Joseph Buller By his Council Waightstil Avery, being before the Court moved to be discharged from a Comitment of Michael Woods and William Clark Esq; Justices of the Peace to the Goales of said County in Order To be turned Over to the Continental Service for three years or during the War.

Tuesday 25th Aug.

Upon the Information of the facts, the Court is of the Opinion that Joseph Buller ought to be discharged and he is therefore here discharged.

Court adjourned till to-morrow 8 O'clock.

Mett according to Adjournment.

Wednesday 26th day 1778.

Present the Worshipfull

Jacob Womack

Thos Houghton

Jno McNabb

Zachr. Isbell

Michael Wood

& Benj. Gist, Esqs.

Ordered that the Sheriff summon Amos Bird and Jno. Smith to attend the next Supr. Court as jurymen.

Ord: that Margaret White an Orphan Girl be bound unto Baptist McNabb until the said Girl come to the year of 18, he the said Baptist conforming to the Laws maid and provided for in that case.

Robert Young By his Council E. Dunlap motioned that a Verdict of Jury on a matter of Controversy Between said Young plantif and Evan Shelby Defendant should not be recd. On hearing the facts the Court are of Opinion that the Sheriff summon a new Jury and make return to next Court.

Wednesday 26 Augt 1778.

Michael Hider

vs. in Law

Amos Bird.

The Jury find for the plaintiff—Warrant issue accordingly. My fees paid.

Bartley Hinson

vs. Caveat
on Land

Robert Patterson.

The jury find for the plaintiff. Ord. that warrant issue.

McNabb

vs.

Z. White.

On motion ordered that a commission issue to Andrew Greer and John Shelby Esq to take the deposition of Elias Lane on behalf of Zachr White that the same may be given in the above suit.

State

vs.

Moses Crawford.

A summons from under the hand of Wm Clark Esq one of the Justices of the Peace for said County requiring Moses Crawford to appear before this Court on the first day of the present siting thereof and take the oath of allegiance to this State is returned into Court here by John Smith Constable Executed on the said Moses Crawford. The said Moses Crawford is solemnly called and fails to appear according to the summons aforesaid.

It is ordered by the Court that the said Moses Crawford shall be permitted to remain within State and that sd. Moses Crawford for

the offence aforesaid hath incurred the penalties shall be subject to all the disa: in such case enacted, and providd. in the 9th section of an act entitled an act of the General Assembly of the State for declaring what crimes and practices vs. the State shall be Treason or Misprision of Treason and providg. punishmt. adequate to crimes of both classes and for preventing the dangers that may arise from persons disaffected to the State.

James Daniel

vs.

Evan Shelby.

Verdict for Shelby. Ord. that warrant issue accordingly.

The State

vs.

John Rodgers.

Defdt. brought into Court for Tryal and upon his Tryal pleads not guilty.

States Evidence—Elizabeth Shoat Sworn

Edward Shoat

Dfts Evidence—Jean Williams Jurat

Lidia Cross

It is the opinion of the Court that John Rogers be sent to the Superior Court.

Elizabeth Shoat Prin. Recog. £100.

Edward Shoat

Saml. Smith Sec. £50.

William Ward Each

Void upon condition that Elizabeth Shoat and Edward Shoat appear as evidence in behalf of the State vs. John Rodgers at the Superior Court in Salisbury the fifteenth day of September 1778 and not to Depart without Leave.

On motion of Ephraim Dunlap State Attorney that Joseph Bullar should be bro: before the Court and reheard on a matter argued and order maid yesterday by the Court that sd. Jos. Bullar should be discharged from a Comit. of Michael Woods and Wm. Clark Esqrs. to Gaoler of the County directing him to be turned over to the Continental Service for three years or During the War. The Court are of opinion that the sd. Joseph be brought and reheard.

Ambrose Mauldin Prin. recog. £500

Benjamin Willson Secty. each, £250

Philip Shelley

James Wray

Void on condition that Ambrose Mauldin appear at the next Court and not depart without leave thereof.

On motion of Saml. Tate by Waightstill Avery his attorney to confirm a jud: of Washington Court in Virginia, that Ann Newman should serve a certain time mend. in sd. Order.

The Court is of opinion that same order is Illegal and the sd. Ann Newman be Sett Free and Discharged being no longer a servant.

Samuel Tate came into Court and prayed an appeal to the Superior Court which was ordered Granted.

Joshua Bolden

vs. On Cavit.

John Rice.

Verdict for the Defdt. Ord. that warrant issue accordingly.
Court adjourned till to-morrow 8 oclock.

Thursday 27th day.

Met according to adjournment.

Present John Carter, Cha.

John McNabb

Benjamin Gist

Thos. Houghton

Michael Woods

Jesse Walton

& Chas. Robertson

Esqrs.

Ord: that collectors for the several Districts in this County collect the following sums, to-wit:

For every hundred pounds worth of property as by general assmt.

16|8

For Building Court House prison and stocks

2|6

For Building Court House in Salisbury

4d

For the Contingent charges of the County

1|

Amounting in the whole to twenty shillings and six pence

J. Carter and Thos. Houghton disents from this.

Ordered that John Sevier Clk. be admitted to take 30| for his service in each Caveat & Issuing summons, whatever the Law allows which is there prescribed

Ordered that Valentine Sevier, Sher. be allowed for his ex-officio services the sum of £50. for the year 177—

Ordered that John Sevier be Pd. £60. for his ex officio services for the year 1778

Ord. that William Ward be allowed the sum of 39| for summoning 26 persons to give in an inventory of their Estates.

Ord: that Emanuel Carter be allowed the sum of £3,0.0. for summoning 40 to appear also

Ord: that Samuel Lyle be allowed the sum of £4.10. for summoning 60 to appear also

Ord: that John Smith be allowed the sum of £4.17.6 for summoning 65 to appear also

State

vs

Henry Box

It is the opinion of the Court that Henry Box be discharged.

On motion of Ephraim Dunlap that Isaac Butler should Be sent to the Contl Army and there to serve three years or during the War.

On hearing the facts it is orderd by the Court that the sd Isaac Butler be immediately committed to gaol and there safely kept until he the said Isaac can be delivered unto a Continentl officer to be conveyed to Head Quarters

Ord: that the Clark certify to the Hon: the Chief Justices of this State No. Carolina that Epraim Dunlap is a Gentleman of Honesty, probity and Good Behavior and well Qualifyd to act as an atto:

Samuel Tate Prin. in the sum of £100. and Greer & Emanuel Carter sec. £50. ea

Void on condition that the sd. Saml. Tate prosecute on an appeal prayd. for by the sd. Saml. Tate from this Court to the Superior Court with effect.

The said Saml. plaintiff Ann Newman defdt.

Thursday 27th August 1778

Benjamin Rodgers

vs

Peter Ford

..Caveat—Returned by the Sheriff. Settled & agreed—All fees paid. Vol. Sevier Senr. Abraham Sevier Julius Roberson. Zachariah White Dempsey Ward, Andrew Thompson Gideon Morris

Robt. Sevier Jeremiah Dungan came into Court took the Oath of Allegiance

Ord: that the Sheriff make sale of six head of Creatures Taken by John Sevier from Joseph Box called the property of Zekiah Collins, Wheel Right and make return of the money arising from the sale thereof to the Treasurer

Isaac Buller Prin. Recog the sum £300. Joseph Bullar secu. the sum of £150.

Void on condition that the sd. Isaac Bullar do apprehend 2 Deserters especially Joshua Williams and a certain Dyer who keeps in company with sd. Joshua Williams by the 20th day of September next and deliver them to proper authority.

Court adjourned till to-morrow morning 8 o'clock

Fryday morning—Met according to adjournment 28th day August

Present

John Carter
Benjm. Gest

Thos. Houghton
& Charles Robertson

Esqrs.

Maj'r Charles Robertson acknowledged the conveyance of 568 acres of land unto Thom: Houghton.

Ord: that the Sheriff summon Amos Bird, John Clark, Isaac Johnson, Danl. Kenedy, Wm Trimble, Francis Hughes, John Knave, Joseph English, Adam Willson, John Russell, Pharoh Cobb, Benj. Cobb, Josiah Hoskins, Phillip Shelly, John Hoskins, Solomon Smith Samuel Henry Jonas & Little to serve as grand jury men at our next Court

Christopher Cunningham came into Court and took the affirmation of allegiancē to this State.

Joseph Denton David Hickky & Michael Hider came into Court and took the oath of allegiance to this State.

Ord: that a com. issue to John Colter and Isaac Shelby Esqr. to take the depos: of Ruth Morris, Lydia Cross, Mary 't'ye & John Crockett on behalf of John Rodgers defdt. the State pltf.

Mich: Hider by his Council L. Bowyer prayed a continuance of his suit vs Amos Bird on Caveat until next Court which was Granted accordly.

Jas. Dentons Ear mark on his Cattle Hogs & Sheep is a crop of the Left ear, and what is called a half — out of the under side of the right ear which is ordered to be recorded.

Ord: that Thomas Price and Wm Blevins be sumd: to appear at the next Court to prove the convey: of the Wattauga purchase to Charles Robertson on Behalf of the people living thereon.

Christopher Cuninghame came into Court and acknowledged himself indebted on Recog. £100. Void on condition that he shall appear at the next Supr. Court as witness vs Elija. Robertson in behalf of the State.

Thos. Houghton—same—

On motion ord: that Thos. Houghton Esq collect the monies due from the several Districts of which Jno McNabb, Benja. Willson & John Chisom maid returns to this Court; also that Benjamin Gist collect for the Districts that Zach: Isbell, Jacob Womack and Wm Been made return of.

Thos. Houghton entered himself, Chas. Robertson & Joseph Tipton as bond for the sum of £3000. for performance of same

Benj: Gist entered himself into bond with Chas. Robertson & Thos. Houghton his sectys. in the sum of £3000. for the performance of the same.

William Ward attended Court as Constable 5 days.

Mrs. Suzanah Robertson being privately Examined as feme.covert aeknowledgd. her consent to the conveyance of 568 acres of Land from herself & Chs: Robertson her husband to Tho: Houghton Esq.

Joseph Tipton, Chas. Robertson (Buffalo), Hugh Henry, Jno. Hughs, Saml. Denton, Geo. Little, Jas. Denton, John Cuninghame, Thom: Little, John Odull, Chris. Cuninghame Jr., Geo. Reeves, John Brown Sr., John Brown Jr., Wm Reeves, Jacob Chamble came into Court and took the Oath of Allegiance.

Gordon Reeves came into Court and took his affirmation of allegiance to the State.

Ord: that a saddle and coat the property of Joshua Williams be sold and the money arising therefrom to be left in the hands of Saml. Sherrill—also one saddle and coat the property of one Dyer to be sold and the money left in the hands the sd Saml. Sherrill

Court adjourned till Court in course

John Carter
Thos. Houghton
Benjamin Gist

WASHINGTON CO. RECORDS NOVEMBER TERM 1778

At a County Court begun and held for the County of Washing-

ton on the 23d day of November 1778 at the Dwelling house of Matthew Talbert

Present the Worshipful

John Carter Cha:

Charles Robertson

Joseph Willson

John McNabb

William McNabb

Thomas Houghton

William Clark

James Stuart

Benjamin Gist

On motion of Ephraim Dunlap esq to be admitted to practice in this Court as an attorney— The Court on his first producing a license from the Honble: Saml. Spencer and Saml. Ashe Chf. Justices of this State admitting the sd. Ephraim Dunlap Esq to practice as an attorney in the several County Courts within this State do hereby authorize and admit the sd. Ephraim to plead in this County Court as an attorney

Ord: that a return made by Jacob Womack, Jesse Walton, Geo. Russell, Joseph Willson, Zach. Isbell and Benjamin Gist some of the Commissioners appointed to Lay off the place for Erecting the Court House, prison, and stocks, and the said return is ord: filed in the Clerks office

Charles Robertson Esq acknowledges the convce. of 640 acres of land unto Henry Lyle

On Petition of Michl. Bacon to have Leave to build a mill on the Creek called Little Limestone, it is therefore consd that sd. Michl have Leave to Build a mill on sd. Creek on Proviso that he build sd. mill on his own Land.

On motion of James Pearce by his Council E. Dunlap to build a Grist mill on Little Limestone Creek it is the opinion of the Court that the sd James Pearce have leave to build a mill on the sd creek on his land where he now resides

Ord: that Wm McNabb Esq. be appointed stray master for the County.

Jacob Brown acknowledged the Convey: of 358 acres of Land unto Humphrey Gibson.

Ord: by the Court that Pheba Collins have three creatures returned to her that was ord: by the Last Court to be sold by the Sheriff sd creatures supposed to be the property of Hezekiah Collins, the sd Pheba first proving her property to sd Creatures before some Justice of the peace for this County

Ord: that the Clerk issue orders to the Sheriff to have the Dif-

ferent Caveats returned to this Court by the Entry taker Try'd. between the parties and make return to the next Court.

Ord: that Ded: potestatem be directed to two Justices of the County of Tryon to take the depon of John Potts, Isaac Baits and John Sprigs in a suit depending between John McNabb defdt. and Andw Taylor plttf.

Ord: that Betsy Fauling and John Chisom Esq have Leave of administration on the Estate of Wm Fauling Decd they first giving Bond and secty as required by Law

Danl. Kennedy, John Nave, Benjm. Cobb, Solomon Smith, Saml. Henry, Jonas Little, Caleb Odull, Jas. Hollis, Ezl. Smith, Hum Gibson, Jas Pearce, John Moore, Matt. Little, Jas Mauldin, Julius Robertson, James Henry and Wm Asher Grandjurymen—Sworn

Ord: that Hump. Gibson be fined 10| for swg. in Court

Ord: that Amos Bird, John Clark, Francis Hughes, Joseph England, Adam Willson, Pharaoh Cobb, Josiah Hoskins, Phillip Shelly and John Hoskins be fined accord. to Law for not attendg. the G. Jury.

Court adjourned till to-morrow morning 9 oclock.

24th Met according to adjournment

Present the Worshipful

Jas. Willson	Thos Houghton
Benjm Gist	Jesse Walton
Jas. Stuart	Chas. Robertson
John McMahan	Wm McNabb
Wm Clark	John McNabb

Jacob Brown acknowledged the convey: of 400 acres of Land to Wm Ritchey

Jacob Brown ackn: the convey: of 663 acres of Land unto Peter McName

Chas. Robertson Esq. acknow: the convey: of 340 acres of Land unto John McMahan Esq.

Also a convey: of 640 acres to sd McMahan also.

Betsy Fauling and John Chisom came into Court and gave John Carter and Chas. Robertson their securty for their adminn. on the Estate of Wm Fauling decd in the sum of £2000. My fees paid

Jacob Brown ackno: the convey: of 370 acres of Land unto Wm Clark Esq

Jacob Brown ackno: the convey: of 80 acres of Land unto Wm Clark Esq.

Jacob Brown ackno. the convey. of 669 acres of Land unto Emanuel Sedusky

Jacob Brown ackno. the convey. of 350 acres of Land unto Isaac Willson.

Ann Choate admr. of Tho: Choate enterd. Ezekl. Smith, Jas. Hollis and Robt Sevier her secty. in the sum of £3000.

Ord: that a Did. potestm. issue to two Justices of the peace In County of Tryon to take the deposition of Danl. Shipman & Jacob Shipman in behalf of Jno. Robertson defdt. in a suit with Peter McLame plttf on a caveat.

Ord: that Joel Callihan serve as Constable

Ord. that David Fain serve as Constable

Ord: that Nathl Clark serve as Constable

Caleb Hunter—Prin Recog. £200

Asahel Rawlings Secuty each £100.

Wm Hitchie

Void on condition sd. Caleb Hunter make his personal appearance at the next Court and not depart without leave

State

vs

Pleads not guilty

John Gibson

Emanl. Carter & Austin Choate Witnesses for the State—Sworn

The Court on hearing the facts are of opinion that defdt. enter into recognizance for his appearance at the next Court in the sum of £250. and two securities £125. each

John Gibson Prin. Recog. £250

Edw. Rice & Jesse Bond Sec. Ea £125

Void on condn John Gibson make his personal appearance at next Court and not depart without Leave

Peter Huffman provd a certain Bill of Sale for Land therein mentioned from Jas McCain to him the said Peter by Danl. Huffman and the same is ord. to be recd.

Ord: that a Ded: Potestatem issue to 2 Justices in Tryon County to take the Depn of Jacob Shipman and Robert Lee in behalf of Barnabas Anderson in a suit on a Caveat Jas McCord and David Robertson plttfs Barnabas Anderson dfdt.

Littleberry Matlock recog. £100.

Jos. Dunham, Jos. Buller Secu. Ea £50.

Void on condn Littleton Matlock make his personal appearance the next Court and not depart without leave.

Court adjd till to-morrow morning 9. oc.

25th

Court met accordg. to adjourn't.

Present the Worshipful

John Carter Cha

Jas. Stuart

Zach Isbell

Tho: Houghton

Jesse Walton

John Chisom

Jas. Robertson

Joseph Willson

Wm McNabb

Wm Clark

Jacob Brown ackno. the convey: of 220 acres of Land unto Wm Nelson same to be recd

And of 389 acres to same

And of 460 acres to Elija Nelson

Ord. that Richd Wooldridge pay the sum of £20 for not doing his duty in taking care of James Maulden, who was committed to his charge as Constable.

Ord: that Benjm. Cobb be fined the sum of £3. for not attending on the G. Jury.

Ord: that Ded. potestatem issue to 2 Justices in the State of So. Carolina to take the Depo: of Solomon Smith in behalf of John Gilliland in a suit on a caveat John Shurley pl'tff Jno Gilliland def'dt.

Jacob Brown ackno: the convey: of 300 acres of Land unto John Helms, and of 202 acres to Cornea O Neal and 673 acres to John Woods and 340 acres to Michl Woods and 182 acres to Moses Crawford and ord. recd

Henry Lyle 376 acres to Joshua Houghton, Chas Robertson 376 acres to Henry Lyle.

Michl. Woods proved the convey: of 182 acres from Moses Crawford by the Oath of Jacob Brown and same ord: record:

Court adjourned

26th Day Met accordg. to adjourn't

Present the Worshipful

John Carter, Cha.

Jesse Walton

Thom. Houghton

Wm Clark

Wm McNabb

Michl. Woods

Rich. White

Esqrs.

Jacob Brown proved by the oath of John Smith the conveyance

of 3 certain Tracts or Territorys of Land as in the deed prescribed conveyd to sd Brown by Oconostoto, the Tennessee Warrior: the Breed Slave Catcher, Artacullacullah and Chenastoy, Chiefs of the Cherokee Nation & same is ord. record.

Ord: that a Road be laid from forks of Indian Creek to or near Jacob Brown's as may be most convenient and that sd Jacob Brown, John Nave and Robt. Young or any two of them do View and mark out the sd road and make return thereof to the next Court.

Jonathan Dugless

vs Case

Jemima Chancey

Emanuel Carter, Valentine Sevier witnesses for plttf.

Henry Lyle, Jas. Hollis, Humphrey Gibson, Joseph Dunham, Jos. Buller, Nathl Clark, Chris: Cuninghame, John Gilliland, Wm Nelson, Christopher Cuninghame Jr., Jas Mielacan & Robt. Young jurymen.

We of the jury do find for the plttf Twenty pounds Dam: Nathl Clark foreman

Bapfist McNabb

vs Debt

Zachariah White

Chas. Robertson, Jas. Mielican, Saml. Henry, Ambrose Hodge, David McNabb, John McNabb, Jas. Wray, witnesses for plttf

David Hickky, Christopher Cuninghame witnesses for defdt. Sworn.

Henry Lyle, Jas. Hollis, Humphrey Gibson, Jos. Dunham, Jno. Nave, Jos. Buller, Nathl. Clark, John Gilliland, Wm Nelson, Jacob Brown, Philip Shelly, Matthew Talbert jurymen—Non Suit

Ord: that Eph. Dunlap be fined 5 Dollars for Insulting the Court especially Richd. White Esq.

Chas. Robertson acknow: the conveyance of 640 acres of Land unto Gideon Morris.

David McNabb

vs Debt

Andrew Greer

Judj: for £41.13.4 according to acct. Filed.

Court adjd. till to-morrow morning 9 o'clock

27th—Court met accordg. to adjourn.

Present the Worshipful

John Carter, Cha

Thos. Houghton

Michl. Woods

Wm McNabb

Esqurs

Christopher Cuninghame

vs

Caveat

Admr. of John Dixon

The jury do find for ptlff & ord: that orders issue for the entering accord: in behalf of ptlff.

Ord: that John Sevier be appointed Trustee for the County

Robert Young

vs

Caveat

Evan Shelby

The jury make return that a certain Big Spring Run ought to be the Line and that the Survey run a paralell line with sd Spring Run and it is consid. that orders issue accordingly.

Ord: that the assessors Henry Lile, Wm McNabb and Saml Henry be allowed for their services six pounds Each man for their Trouble.

Tavern Rates for 1 year

Lodging—Good bed and clean sheets	1. 6
Rum, wine & brandy pr. gal	3. 4. 0
Toddy pr. qt. & so in proportion & $\frac{1}{2}$ pt. of rum therein	0. 8. 0
Corn or oats pr. gal.	0. 4. 0
Stabledge with hay or fodder, 24 hours	0. 4. 0
Pasturage 24 hours	0. 2. 0
Cyder pr. Qt.	0. 4. 0
Bear pr. Qt.	2. 0
Whiskey pr. gal	2. 0. 0

Ord: that Richd. Willson, Isaac Johnson, Thos. Gil'aspie, David McCord, Jesse Been, John Trimble, Saml. Culberson, Michl. Bacon, Jno. B. McMahan, Jno. Gillaland, Jas. Stinson, And: Willson be summoned to attend the next Court as Petit jurors

Valentine Sevier Entd himself, John Carter & Chas. Robertson his securitys in the sum of three thousand pounds for his faithful discharge of the public monies that may be delivered into his hands from the Differant Tax Gatherers for the year 1778.

John Sevier Entd himself with John Carter & Chas. Robertson his securitys in the sum of one thousand pounds for his faithful discharge as County Trustee

Cleavers Barksdill after having Takeing the usual Oaths as prescribed by Law is appointed to act as Deputy Sheriff of this County.

Ord: that jurors that be sumond to try any cavt of Land be allowed the sum of 18| pr. day each juror.

Ord: that ye Sheriff be allowd 24| pr. day for attending on Juries when trying Cavts on Land.

Ord that Chas Robertson Esq be appointed Overseer of the Road from Little ford on Holeson to Matthew Talberts on Wattaugo in the room of Joshua Houghton

Chas. Robertson proved the convey: of a Certain Tract or Territory of Land in the deed prescribed, by the Oath of John Sevier from Oconostoto, Alta Cullaculla, Tennessee Warrior and Willenawaugh Chiefs of the Cherokee Nation. The same is ord. to be Record.

Ord: that Wm Ward be allowed for attendg. 5 days at this Court.

Court adjourned till Court in Course and to the place appointed by the commissioners

John Carter, Cha.
Charles Robertson
Tho: Houghton
Richd. White
Michl. Woods
William McNabb

1779.

(Part of the record is missing at this point.)

Monday Feby 22 1799

Thomas Jonathin made oath that his Ear mark is a Crop and square on the right ear and a Slitt square Crost the Ear of the uper and Lower Edge not extending Quite thro the Left Ear.

Joseph Tipton prov: the Convey. of 445 acres of Land from Edmund Roberts by the oath of Robt. Young Jr. & same is ord. to be record.

Chas Roberson Esq. ack. the Convey. of 487 acres of Land unto Robt. Young Jr & same is ord. to be record.

Chas. Roberson ackno. the Convey. of 400 acres of Land unto John Been and same is ord. to be record.

Order. that the clerk issue Extn agst. the Estate of Isaac Buller for the sum of £300. also agst. Joseph Buller his Secty for the sum of £150 which is the sums forfeited by their recognizance Augst. Sesso.

Present Geo. Russell Esq ditto Jno. McNabb

State vs Cabeb Hunter

It is the opinion of the Court that sd Hunter be acquitted and discharg'd from his recog. Entd. into Novbr Sesso.

Ord. that a deds issue to take the depo. of Tho. Earley and Chas. Robertson Esq in behalf of Wm. Davis. Com. Issued

Matthew Talbert, Jacob Brown, Jno. Stuart, Wm Trimble, Isaiah Hamilton, Rob. Young Jr, Saml. Sherrill Adam Sherrill Robert Cullwell Jas. Grimes, Joseph Tipton. Chris. Taylor, Rob. Blackburn, Wm Nelson Nathl. Clark, & Jno. Nave, Jurymen

—Sworn—

On petition of Michl Bacon setting forth that three children to wit: a boy named Chas Hill; agd 6 years, a girl named — Craft aged 9 years and a boy named Achilles Craft were orphan children and desired that the girl and the youngest boy should be bound to himself and the oldest bound to some Tradesman.

The Court have Consd that the sd Michl. Bacon keep sd two youngest children in his possn and that sd Michl also take the Oldest boy who is now out of his Custody at this time into his Custody also.

Ord. that Stephen — a deserter be confined and sent the dist gaol of Salisbury or Deliverd to some Contl officer

Ord: that Uriah Hunt be find 10| for Insulting the Court—fine paid to the Clerk.

State vs John Holley Sr	On his Tryal
For being Inimicl to the	pleads not
Comm Cause—	guilty

Saml. Matthews

Dycey Matthews Witness for

Caleb Hunter the State

— Cullwell

The Court on hearing the facts and the testimony of the Witnesses: It is the Opinion of the Court That the defdt. be sent to the Superior Court for further Tryal.

Saml Matthews Prin in the sum of £1000.

& wife Dycey

Jas. Pearce Jno. McMahon in the sum of £250 each

and John Fain, their Secu.

Void on condition that sd Saml Matthews and Dycey his wife do make their personal apearance at the next Superior Court to be held at Salisbury to give Testimony vs John Holley in behalf of the State and not to depart without leave

Caleb Hunter Prin. in the sum of £500. Adam Willson and James Stuart Esqrs. his secuy in the sum of £250 each. Void on condition that the sd Caleb Hunter do make his personal appearance the next Supr Court to be held at Salisby. Then and there to give Testimony vs John Holley in behalf of the State and not depart without Leave.

Court adjd till to-morrow morning at 10 o'clock.

23rd day—Met according to adjournment. Present the Worshipfull

John Carter, Cha.

John McMahon

Chas Robertson

Michl Woods

Joseph Willson

Wm Clark

Benj. Gist

Joseph Willson.

Tuesday 23rd of February 1779

State vs Geo Lewis for Treason vs the State.

Wm Williams Witnesses for the State.

Elizabeth English Sworn

On hearing the facts and considering the testimony of the Witnesses—It is the opinion of the Court That defdt. be sent to the Dist. Gaol—It apg. to the Court that sd Lewis is a spie or an officer from Floradia out of the English Army.

State vs John Holley Jr for Treason

Caleb Hunter Witness for the State. Sworn.

It is the opinion of the Court that the defdt is not guilty and is ord. to be Dischargd

State vs Thomas Barker for Treason

On hearing the facts it is the opinion of the Court that defdt. be dischgd.

State vs Jonathan Holley for Treason

The Court on hearing the facts are of opinion that defdt. be dischgd.

State vs Alexr Choatswood for Treason

The Court on hearing the facts are of opinion that the defdt Ought to be dischgd and is accordingly Discharged.

State vs Francis Holley for Treason

The Court is of opinion the defdt. ought to be discharged

Ord: that Robt. Cullwell be find the sum of — for Insulting the Court.

State vs William Bryant for Treason

The Court is of opinion be dischgd and is accord. Dischargd

Ord: that the negroes now in possession of Adam Willson Esq the property of Jno. Holley Sr be delivered to the wife of sd John Holley in case she giving bond and sufficient secty In the sum of five thousand pounds for her safe keeping and delivering the sd negroes and other personal estate belonging to sd Jno Holley whenever demanded by proper authority in behalf of the State of N. Carolina. Otherwise the Sheriff take the negroes and other personal property into his possession.

Jno. Holley, Thos. Barker, Wm Storey, Jonathan Holley and Jno. B. McMahan acknowledge themselves indebted to the State of No Carolina in the sum of five thousand pounds for Rebecca Holley's safe keeping the negroes and other personal property of Jno. Holley her husband and delivering the same whenever demanded by any Legal Author. in behalf of the State of No. Carolina

Ord. that Richd Willson serve as Constable in Capt Hoskins Dist

Ord. that John Reding serve as a Constable in the room of P. Smith

Wm McNabb Esq. proved the Convey. of 207 acres of Land from Elija Robertson by the oath of Jno. McNabb Esq

Ord: that Joel Callihan be sumd to apear next Court to show cause why a Condl fine of Ten pounds shall not be award vs him for refusing to serve as Constble

Chas Robertson Esq. ackno: the Convey. 420 acres of Land unto Wm Been Esq

Chas Robertson Esq ackno: the Convey: of 560 acres of Land unto Wm Been Esq

——— Esq proved a Bill of Sale from George Lumpkins to sd. ——— Jo. a negro fellow about 20 years old and dinah a wench about — years old and same is ord. to be record.

Ord: that Rob. Shurley be fined 16| for Insulting the Court. The fine paid to J. Sevier

On motion of L Bowyer Atty that a fine of £5. imposed on R. Cullwell for Insulting the Court should be remitted

The Court on Consid: the matter agree that sd fine should be remitted.

Court adjd till to-morrow morning 10 oclock.

Court met acd. to adjnt Wednesday 24th day. Present the worshipfull John Carter Cha, Ben Willson, Andrew Greer, Jno. McNabb, Thomas Houghton & Jesse Walton Esqrs.
State vs. Moses Crawford for Treason.

James Greenlee

Chas Adkins State Witnesses—Sworn—

John Smith

The Court on hearing the facts and the Testimony of the Witnesses: It is therefore the Opinion of the Court that the Defdt. Moses Crawford be sent to the district gaol for further Tryal.

The above order vs Crawford Reed

Chas Robertson ackno. the Convey: of ——— acres of Land unto Christo. Cuninghame

Also four others of 530, 300, 640, & 390 acres to Rob. Lucas, and 300 acres to Edwd. Lucas.

On motion of Moses Crawford by his Council L. Bowyer that the order for sending sd Crawford to Dist. Gaol be reconsidered and sd Moses be dischg'd. on his taking the State Oath and giving Bond and Suffict secuty in the sum of £10,000. The Court on considg. the case do permit sd Moses to remain and be dischg'd. he giving such bond and taking sd Oath.

Moses Crawford Principal and John Russell; Robt. Cullwell, John Smith John Redding John Stuart, Aron B—— son and Wm Storey Jointly in the sum of Ten thousand pounds.

Void on condition that sd Moses Crawford be of a peaceable and good behavior in all cases whatever especially toward the Good and Safety of the Independent State of No. Carolina, also the United States of America.

Ord. that Moses Crawford be permitted to take the Oath of allegiance to the State of No. Carolina which was accordgly admind

(On motion of) E. Dunlop attorney for Jas. Greenlee that (the verdict rendered) by a jury on a caveat between Jno Nave pltf and (Jas. Greenlee) Esq defdt should be reversed. The Court on hearing the facts and testimony of witnesses are of opinion that Verdict of the Jury is illegal and not Valid and that there must be a new Trial on sd Caveat.

Court adjd till to-morrow 8 o.c.

Thursday 25th day, Mett accdg. to Adjnt

Present the Worshipfull

Chas. Robertson Cha

Wm Clark

Jno. McNabb

Joseph Willson

Benjm. Gist

Thos. Houghton

Jno. McMahon

Wm Clark

Valentine Sevier Jr acknow. the Convey. of 360 acres of Land unto Valentine Sevier Sr.

Peter McName retd here into Court a List of Sundry delinquents to the Amt. of £48. 12. 10. which is to be allowed in his settlement with the Sheriff out of sd McName's collectn for the year 1778

Ord. that Robt. Cullwell be fined the sum of £5. for Insulting the Court

On motion of John Holley by his atty Ephraim Dunlop that he the sd Holley should be acquitted from a ——— to the D. Gaol for Treason on his Giving bond (with security) in the sum of Twenty thousand pounds for good behavior in all cases whatever

The Court are of opinion that sd Holley may ——— and dischargd he giving Bail accordingly

John Holley Prin. in the sum of £10000—John Clark, Robt. Cullwell, Isaiah Hamilton James Moore and Jonathan Holley jointly and severally in the sum of Ten thousand pounds. Void on condition that sd John Holley do be of a peaceable and good behavior in all cases whatever especially toward the Good and Safety of the State of No. Carolina and also the Independant States of No. Amarica

On motion of E. Dunlop attorney for A. Bird that sd Bird should have an order from the Clerk to the Surveyor to have his land surveyed agreeable to a return made at Augt Term last by Jury and Sheriff on a Caveat between sd Bird defdt. and Michl Hider plttf. The Court on hearing the facts and considg. the case Order that the Clerk do issue order accordingly on behalf of sd Bird

On motion of Joseph Buller by his council L. Bowyer that Joseph Buller and Isaac Bullar should be ——— ——— ——— ——— issue Execution vs the estate of Isaac Buller for the sum of £300 and vs the estate of Joseph Buller for the sum of £150.

It is the opinion of the Court that the Clerk ought not to issue the Executions and that sd Joseph and Isaac be dischg'd from their recognizance entd into Last August Sesso.

Ord that a deds issue to take the oaths of H. Henry Hicky, Jesse Bean Elizabeth Craig and ——— ——— in behalf of Wm Brockus defdt. Wm Fauling, admr. plttf.

Ord. that a deds issue to two justices of the County of Burk to take the depo. of Ishmael & John Jewell in behalf of Jas. Greenlee Esq Defdt John Nave plttf on a Caveat.

Ord. that Wm. Ward be sumd to apear the next Court to render his reasons for not serving as Constable

Ord. that Joseph Tipton be sumd also to apear for not serving as Constable

John Holley came into Court and ack. a Bill of Sale for the Convey. of Two negroes therein mentd unto Robt. Cullwell and same is ord. recd

Ord. that Thos. Young serve as Constable

Ord. that Evan Edwards serve as Constable in the stead of Jno —

Jacob Brown ack. the Convey. of 176 acres of Land unto Jas Grimes.

Joseph Buller ack. the Convey. of 143 acres of Land to Michl Bacon
Valentine Sevier

vs	On attachment, Judg. and order accordg. to
Isaac Ruddall	acct. provd £59.

State vs Andrew Greer,

John Carter and Robt. Lanier On Attachment

It is the opinion of the Court that the Attachmt is Illegal and Ought not to Lye

	Charles Robertson
	Jno. McNabb
Court adjd till Court in course.	Andw Greer
	Michl Woods
	William Clark

At a Court begun and held the 24th day of May 1779 at the place appointed for the Court House

Present the Worshipfull

John Carter, Cha

Chas. Robertson	Benj. Gist
Jno. McNabb	James Stuart
Geo. Russell	Wm McNabb
Rob. Lucas	Wm Cobb
Thos Houghton	

Esqrs.

On motion of Ephraim Dunlop S. Attorney that a Sheriff should be appointed for the Ensuing year. The Court taking the same under consideration do nominate and appoint Valentine Sevier

Sheriff, he giving bond and security as by Law appointed and Required—

The Last Will and Testament of Rebecca Vanderpool was duly proven by the oaths of Thomas Houghton Esq and James Grissome, and same is ordered to be recorded.

Thomas Hardaman came into Court and made Oath that the Ear mark of his Cattle, Hogs and Sheep is a swallow fork in the ———

A power of attorney from Gideon Rucker to John Jones appointing sd. Jones his True and Lawfull Attorney &c proven by the oath of John Dunham and same is ordered to be Record :

Ord : that Teter Nave have Leave of Administration on the Estate of Abraham Vanderpool he first Giving Bond and Security as required by law.

Court adjourned till to-morrow morning 9 o'clock

Tuesday 25th day. Mett accdg. to adjnt. Present the Worshipful

Zachr. Isbell

Joseph Willson

Wm McNabb

Michl. Woods

Wm Clark

Jno. McNabb

Tho. Houghton

And. Greer.

Wm Cocke and Wm Parker entered themselves Secy. for Teter Naves faithful administration on the Estate of Abraham Vanderpool in the sum of £2000.

Chas. Robertson Esq. acknow: the Convey. of 400 acres of Land unto Wm Sharp Esq.

Chas. Robertson ackno. the Convey. of 480 acres of Land unto Garrett Fitzgerald.

Saml. Harris and Wm Sharpe Esq proved the Convey: of 480 acres of Land from Garrett Fitzgerald by the Oath of Charles Robertson Esq.

On motion that the State's Attorney be allowed for his services to which the Court agreed that the States Atty' should be allowed, from which Thos. Houghton Esq dissented

On motion it is the Opinion of the Court that Ephraim Dunlop Esq (State's Attorney) be allowed the sum of £133. 6. 8. for his services and the same for the year 1778 and so on during pleasure.

Present J. Shelby

State

vs. Stealing Bell

Dick —

Defdt pleads not guilty

Wm Thornton Witness for the State—Sworn—

It is the opinion of the Court that the defdt. appear at the next Court and enter into Recognce. for the performance of the same himself in the sum of £500 and two Secutys in the sum of £250 each

Ben Dick — Principal in the sum of £500. Robt. Bayley and Chas. England Secutys £250 each. Void on condition that said Ben Dick — make his personal appearance at the next Court and not depart without Leave.

State vs Benj Holley Jesse Walton Esq Witness for State

High Treason. Jesse Bond W. for the State

It is the opinion of the Court that sd. defdt. be sent to the Superior Court for farther Tryal and that sd. Jesse Walton and Jesse Bond be sumd to appear at Superior Court as Witness against the defdt.

Jesse Bond Prin. the sum of £1000. Jesse Walton Secuty the sum of £500. Void on condition that Jesse Bond make his personal appearance at next Supr. Court to give testimony vs. Benjm Holley

Amos Bird in the sum of £1000. Void on condition that he make his personal appearance at the next Supr Court to persecute Benj. Holley for Stealing Creatures.

Ord. that John Murphy Enter into bond and Security for his good behavior in the sum of one thousand pounds himself and two Securitys in the sum of five hundred pounds each.

Ord. that John Murphy be fined the sum of Twenty pounds for Ill treatment to his reputed father Patrick Murphy. Also for Breach of the Peace

Ord. that Patrick Murphy be fined the sum of £20. for Insulting Zachariah Isbell Esq a member sitting on the Bench.

State vs Patrick Murphy, For stealing 2 Hogs the property of Zachariah Isbell and Thos. Evans. Present Jas. Stewart and And. Greer Esqrs.

Jas. Crawford, Wm Murphy, Witnesses for the State. John Smith, Richd Travillian & John Reding Witnesses for Defdt. Sworn.

The Court are of opinion that dfdt. pay to Zach Isbell for his hog, and £26. 13. 4. to Thos. Evans for his Hog, and £10. fine and also receive 20 lashes on his bare back well laid on by Sheriff or Deputy

Matthew Talbert Jr. was duly qualfyd. to act as Deputy Surveyor under Jas. Stewart Esq

Court adjd till to-morrow morning at 10 o.c.

Wednesday 26th day Court met acco. to adjnmt.

Present the Worshipfull Jesse Walton, Zach Isbell, Wm Clark, John McNabb & John Chisholm, Esqs.

On motion Robert Cullwell by his Council Ephraim Dunlop Esq that he be released from being security for the Good behavior of John Holley Sr. and from his recog. entered into at february sesso. etc. The Court on considering are of opinion that on the said Cullwell first delivering said Holley he may be released, also John Clark, Isaah Hamilton. James Moore & Jonathan Holley be likewise released in the same manner.

On motion E. Dunlop State Attorney that John Holley for his Ill practices in Harboring & Abetting disorderly persons who are prejudicial & Inimical to the Common Cause of Liberty and Frequently Disturbing our public Tranquility in General Be Imprisoned for the term and time of one year.

The Court Duly Considering the Allegations Alleged and Objected Against the said John Holley are of Opinion that for his Disorderly practices as aforesaid from time to time, and to prevent the further and future practice of the same pernicious nature do order Him to be imprisoned for the term of one year and is Accordingly ordered into the Custody of the Sheriff—On motion E Dunlop Esq that a sum of money to the amount of fifteen hundred pounds current money Due from Robert Cullwell to said John Holley for two negroes be retained in the hands of said Culwell. As there is sufficient reasons to believe that the said Holley's estate will be Confiscated to the use of the state for his misdemeanors, etc. The Court on Considering the Case are of Opinion That the said moneys ought to be Retained.

On motion that Comr should be Appointed for the county to Take into possession such property as shall be confiscated, the Court on taking the same under consideratn do Nominate and appoint John Sevier Jesse Walton, and Zachariah Isbell Esq. for the aforesaid purpose.

James Jones & Thos. Young was Duly qualfyd to act as constables.

On motion the Court order that John Bond do keep and take care of George and Mary bond (orphans) until there may be proper Opportunity to have Said Orphans properly bound to him as prescribed by the Law.

Ordered that John Holley, Thomas Barker, Wm Story, Jonathan Holley and John Blair McMahon Be released from Delivering Two Negroes formerly the property of John Holley, Sen. which they were security for Rebecca Holley Delivering if called for as confiscated property (said negroes) now the property of Robert Cullwell and is accordingly Released.

Ord. that a deds Issue to take the Depo. of George Kilham in the County of Burk on behalf of John Nave plaintiff in a suit in Court against James Greenlee defdt.

Ord. that a Deds issue to take the Depo. of John Colter in Washington County, Virginia, on behalf of John Nave plttf in a suit with John Clark defdt on Caveat.

State vs Wm Ward—For not doing his duty as Constable

The defdt appeared and the Court on hearing the facts are of opinion that he ought to be discharged, and Is accordingly discharged.

Present Jos. Willson, Thos. Houghton & Benjamin Gist Esqrs.

State vs Pat. Murphy. For stealing two ax's the property of Thos. Evans.

The Court on hearing the facts are of opinion that the defdt Receive 10 Lashes well Laid on his bare back.

On motion that a fine of £20. Imposed on John Murphy for Ill Treatment to his father should be Remitted. The Court reconsidering the Case are of opinion that the fine ought to be remitted and is Accordingly Remitted.

John Murphy Prin. in the sum of £1000. Jesse Walton & Zach. Isbell Secutys each £500. Void on condition that sd. John Murphy be of a peaceable and Good Behavior for the term of one year. Esply towards Pat. Murphy

Ord: that Jas. Roddy, Ligh Hoskins and Jesse Hoskins be Assessors of the taxable property Lying above the Iron Mountain and make return to Richd White Esq.

Ordered that Matt. Talbert Sr, Andrew Taylor and Clevers Barksdell assess below the Iron Mountain Including the Waters on

the North Side of Brush Creek and Wattauga and also all the taxable property on the No Side of Wattauga. Make return to Thomas Houghton Esq

Ord. that Wm Been Jr. Jarrrt Fitzgerald and Pharaoh Cobb assess all below Brush Creek extending as far So. as Browns Line and so down to the County Line and make return to Wm Cobb Esq

Ord. that Jacob Brown, John Woods and Jona. Tipton assess all Below the Iron Mountain as Low down as the Big Limestone extending as far No. as Brown's Line and make return to Wm Clark Esq.

Ord. that Henry Earnest, Sealy Rawlings and Saml. Lyles assess all below Big Limestone on the No. Side of Chuckky and all below J. Sevier's Mill Creek on So. side of Nolachucky and make return to Jos. Willson Esq

Ord. that John Robertson, Bradley Gambril James Abbott and Valentine Little serve as Constables.

Court adjd till tomorrow morning 10 oclock

Thursday 27th day, Mett accordg. to adjnt. Present the Wor-shipful

Joseph Willson
Wm Cobb

Chas. Robertson
And. Greer

Esqrs.

David Robertson

vs. Cavit

Barnabas Anderson

Jury find for the Defdt. Ord. issue acdly.

Garrott Fitzgerald

vs Cavit—Agreed

Thos. Titsworth

Same

vs Agreed

Same

Martin Armstrong

vs Dis. by ord. of plttf.

John Caviack

David Robertson

vs Cavit—Jury find for plttf. The Court order
new Tryal.

Wm Ritchee

Wm Nelson

vs. Cavit—Jury find for plttf. Ord. issue acdgly.

Sain'l Handly

Edward Hughes

vs Cavit—Dismd. by ord. of pltff.

James Grimes

Daniel Keith

vs Cavit—Jury find for pltff. Ord. issue accordgly

David Fain

John Gilahan

vs Cavit. Dismisd by ord. of pltff—All my fees

Chas McCartney paid

Alexdr Duglass

vs Cavit—Jury find for defdt. Ord. issue accdgly

Jacob Vance

John Nave

vs Cavit—Jury find spl Verdict Cond for pltff

John Clark

Nathl Clark

vs Jury find for pltff. Ord. issue acco.

John Stuart

Jas. McCord

vs Cavit—Jury find for pltff. The defdt. pleads a new

Wm Ritchee Tryal. The Court is of opinion that ord. issue
acco. to the verdict of the Jury.

John Shurley

vs Cavit. The Jury find for pltff. Ord. issue acco.

John Gilliland

Present, Jesse Walton Esq

Wm Storey

vs Cavit

Henry Massingill Contd. for pltff

Compromised and the defdt. have relinquished his claim and ord.
issued Entry taker.

Wm Ritchee prays an appeal to the Superior Court in his suit as
defdt. with Jas. McCord pltff. on a Cavit which is accordingly
Granted he first Giving bond and Security as by Law required.

Wm Ritchee Prin in the sum of £500. Peter McName Secuty
in the sum of 250. Void on condition that Wm Ritchie prosecute
his suit with effect agst Jas. McCord on appeal.

Ord. that the Sheriff be allowed for his ex officio services for the
year 1778 the sum of £130.

Ord. that Joseph Fowler, serve as Constable—(Ord. issued)

Chas. Robertson Esq acknow. the Convey. of 240 acres of Land unto Christian Cuninghame Q—if not entered before.

Wm Ritchee proved his Ear Mark of Cattle Sheep and Hogs to be a Crop of the Left ear, and two small nicks on the under side of the Same, and a slitt in the Right Ear, and his Brand on the near Shoulder W and on the near buttock R and the Same is Ordered to be Recorded.

Peter McName proved his Ear Mark of Cattle Hogs and Sheep to be a Crop and two slits in the left ear and a half — out of the upper side of the Right and the Same is ord. to be recorded.

Ord. that a deds issue to take the Depo. of David Looney and Jas. McCain on behalf of Peter Huffman Defdt. in a suit with Wm Cocke plttf. on a Cavit.

John Dunham

vs Cavit Jury find for plttf. Ord. issued accdg.

John Colter

John Holley

vs Cavit—Jury find for plttf. Ord. issue accdg

Richd Travillian

Jas. Charters

vs Cavit—Agd. by ord. of plttf.

Jacob Womack

Philip Muleky

vs Cavit—Agreed by ord. of the plttf.

Wm Cobb Esq

Robt. Culwell came into open Court and acknowledged the assignment on the back of the bill of sale from John Holley to himself unto John — for the Slaves Cato and Arce mentioned in the sd bill of sale

Jacob Vance

vs Cavit—Dis. by ord of the plttf

Jas. Moore

Wm Thornton

vs Cavit—Jury find for plttf.

David Huckky

Chas. Duncan

vs Jury find for defdt. Ord. issue accdgly.

Saml. Fain

Philip Muleky

vs Cavit. Disd by order of plttf.

Pharaoh Cobb.

Ord. that the Sheriff take and receive 8 dollars pr. day for attending on Jurys on Cavits, Also 8| for each juryman that he shall Summon also that each juryman shall and may be Entitled to Receive 32| pr. day for his Attendance to try, such Cavits.

Andrew Taylor

vs

Cavit—Jury find for plttf. Defdt. pleads for new

John McNabb

Tryal.

The Court on considering the Case Order that a New Tryal be Granted, and is accordly. ordered.

Ord. that the Sheriff seize all the property of Jacob and Benjamin Holley and also the property of George Underwood

Ord. that the Sheriff seize all the property of Isam Yearly

Ord. that a dids. issue to take the Depo. of Colo. Chas. McDowell on behalf of Jno. McNabb Esq. Defdt. in a Suit with Andrew Taylor plttf. on Cavit.

Chas. Robertson Esq acknow. the Convey. of 627 acres of Land unto Andrew Taylor.

Wm Ward proved that he attended 4 days as Constable this Court

John Sevier, Jesse Walton & Zachariah Isbell Enterd themselves in recognizance to the Governor with Valentine Sevier Andrew Greer and Charles Robertson Esqrs their Security in the sum of Two Hundred and fifty thousand Pounds for the faithful discharge as Commissioners of Confiscated Estates

Court adjourned till Court in Course.

Charles Roberson

Andw Greer

Jno. McNabb

Jesse Walton

Zachr Isbell

Wm Cobb.

At a Court begun and held the — day of August Anno Domini 1779 Present—the Worshipfull

Joseph Willson

Benjm Gest

Michl Woods

Wm Been

Chas. Robertson

Jesse Walton

John Chisolm

Thos. Houghton Esq

Spruce MaCay Esq. moved to this Court that he might Be admitted as an attorney to practise the Law in This Court.

The Court considering the Same and he the said Spruce Macay also producing a proper License from the Honble. Sam. Ashe and Saml. Spencer Chief Justices of the Dist. of Salisbury as an attorney the Court therefore admit the said Spruce Macay to practise in this Court and is Accordingly Admitted.

John Ritchee made oath that his Ear Mark of Cattle Sheep and Hogs is an under Keel in the Left ear and a Splitt through the Middle of the Right and same is ord. to be Record.

David Hughes

vs Attamt.

Lazarus Cotton.

The Sheriff return into Court that Peter — is sumd as Garnishee, and he the sd. garnishee failing to apear

It is the opinion of the Court that the plaintiff obtain judmt against the said Garnishee

William Trimble

vs Attchmt.

Eduard Hogan

The showing Returns into Court that John Carter is sumd as Garnishee The Garnishee apearred and declared That he has not anything in his hands belonging to defdt.

Present John Carter, Tho. Houghton and Wm McNabb.

Henry Earnest made Oath his Ear Mark of Cattle Sheep and Hogs is a Crop in Each Ear and an under Keel in each Ear and the Same is ord. to be Record.

Ord. that John Mcfarling have Leave of Adminn on the Estate of James Richardson he complying with the Law accordingly.

Court adjd till to-morrow mornng 9 o.c.

Tuesday Morning, Mett accordg. to adjmt Present the Worshipfull

John Carter Char.

Jos. Willson. Benjm. Gest. John McNabb Wm Clark and Zachr Isbell Esqs.

Ord. that Adam Willson Robt. Willson Jas. Stinson. Jos Gest and James Rodgers be appointed to Mark and Lay off a Road the most Convenient and best Way from the Court House of Washington down to Benj. Gest's Esq and make Return to our Next Court.

Chas. Robertson Esq acknow. the Convey. of 300 acres of Land unto Wm Sharp; and 600 acres to same

Ord. that Robt. Sevier be admitted to keep an ordinary in this County at the Court House

Ord. that a return made by Wm Cobb Esq of the Taxable property of the District of which he was appointed should be Recd

Ord. that a return made by Joseph Willson Esq should be Recd. also

Ord. that a return made by Thos. Houghton Esq should be also Recd.

Robt. Lusk Prin in the sum of £500. Saml. Lyle & Wm Thornton his Secutys £250. each Void on Condition that sd Robt. Lusk Make his apearance at the next Court to answer such things as shall then be objected vs him.

Elija Robertson Prin. in the sum of £500. John Gilliland his Secuty in the sum of £250. Void on Condition sd Elija Robertson make his apearance at the next Court to prosecute Robert Lusk.

Elisha Baulding Prin in the sum of £1000. Wm. Flanary & Jas. Wray Secys Each £250. Void on condition sd Elisha Baulding Make his personal apearance at the next Court to answer such things as shall there be Objected against him.

Saml. Tate Enters himself in the sum of five hundred pounds that he will make his personal apearance at the next Court to give Testimony vs Elisha Baulding

Ord: that Andrew Bunton be sumd to appear at the next Court to give Testimony vs Elisha Baulding

Ord. that the Sheriff take into Custody Jas. Millican until he give suffict secuty. for his personal apearance at the Next Court

Ordered that James Millican be fined and pay the sum of £25. 0. 0. for Insulting the Court.

Ord that Saml Tate enter into Recog. in the sum of £1000 himself and Two Sec'ys in the sum of £500 each for his personal apearance at next Court.

On Petition of Joseph Campbell It is ordered that He be discharged from the payment of any public or County Tax.

John McFarling Enters himself with Jarrott Fitzgerald and George Russell his Security in the sum of five thousand pounds for John McFarling's faithfull adminn on the Estate of James Richardson—decd.

Robert Bayley came into Court and Delivd. Ben Duke Middleton who he was Security for at the last Court and B. Middleton is brought into custody.

Court adjourned till to-morrow morning 9 O'clock

Wednesday 25—Mett accord. to adjournment

Present the Worshipfull John Carter—Cha. Thomas Houghton, Chas. Robertson, Zacha Isbell Wm Cobb John McNabb, and James Robertson, Esqrs.

James Hollis came into Court & proved by his oath an acct of £28: 13: 4 agst. the Estate of Wm Rauling—Decd.

Saml. Tate Prin. in the Sum of £1000. Robt. Sevier & Jas. Wray his Sectys £500 each. Void on Condition that sd Saml. Tate Make his personal apearance at Our Next Court to answer such thing as shall there and then be objected against him
Saml Henry

vs Debt on Inqy.

And. Greer

Jas. Hollis, Thos. Gillaspy. Peter McName Jno. Casady, Wm Ritchey, Jos. Denton Christ Taylör, Jno. Dunham, Bednego Inman Jonathan Eduards and Chas. Gentry, Jurymen.

Jury find for the plaintiff £58. 14. 9. dbt & 6d. costs.

David Hughes came into Court and acknowledged A Power of Attorney by him given unto Jesse Walton Esq. and same is ord. to be Recorded.

It is the opinion of the Court that the Assessors be allowed the sum of ten Dollars pr. Day for there Trouble In Assessing. Also the Constables be allowed the sum of Ten Dollars pr. Day also, for notifying the people.

James Jones made oath that he served four days as Constable in warning the people to give in lists of there taxable property and is allowed for the same.

Maj. Jonathan Tipton made oath that himself, Jacob Brown and John Woods Served four days Each in Assessing the Taxable property of the District in which they were Appointed.

Saml. Lyle made Oath that he served three days Assessing the Taxble property of the Inhabitants In the Dist. whereof he was appointed Assessor

James Millican Prin in the sum of £500. Wm McNabb Esq & John Casady Secutys £250 Each. Void on condition that sd Jas. Millican make his personal apearance at next Court and not Depart without Leave

Clevers Barksdill and Andrew Taylor made oath that they served Eighteen Days each Assessing the property of the people in the dist. which they were appointed assessors.

[TO BE CONTINUED.]

BOOK NOTICE.

TENNESSEE HISTORIES.

[We publish below J. W. Caldwell's review of Garrett and Goodpasture's "History of Tennessee." Mr. Caldwell is himself a learned and discriminating author in the field of Tennessee history. His review is a valuable essay on the histories of Tennessee. It has a value independently of the work it reviews. We regard it as eminently worthy of preservation on its own account.]

Capt. W. R. Garrett and A. V. Goodpasture, Esq., of Nashville, in collaboration, have published, through the Brandon Printing Company, a "History of Tennessee," "its people and its institutions," for use in the higher schools of the State. The authors are known as students of the State's history and as frequent writers upon various phases of it. It would have been difficult to find any one more competent for the task which they have successfully performed. They have written the only history of the State which covers its entire life and can at the same time make serious claim to thoroughness. The old standard works upon the subject—Ramsey and Haywood—treat only of the early life of the State, and Phelan does not bring his story down further than the middle of the nineteenth century. Ramsey and Haywood are too minute, and Phelan is not minute enough. Ramsey and Haywood have never been indexed, and, therefore, their usefulness to students as well as to general readers is greatly reduced. The immense publication known as "Goodspeed's History of Tennessee" has never commanded the public confidence, because of its many purely personal and quasi-advertising features; nevertheless, it is a book of great, though unequal, value, and all who have written of the State's history since its appearance have been much indebted to it for suggestion, if not for actual material. It is unwieldy, unindexed, and therefore largely unavailable. Messrs. Garrett and Goodpasture have covered the entire history of the State thoroughly and trustworthily. From no other book can so good and true a view of the subject be had. It is full and trustworthy as a narrative of events

and as an account of institutions. It is evident that the authors have been diligent and that they have the true historic instinct and method. They have had access to the best sources of authority and have made good use of them. Among many features of the book worthy of special commendation is the account of the Indian treaties. This is accompanied and is genuinely elucidated by excellent maps. This part of the book cannot be too highly praised. It is worthy of remark that the account of the Watauga Association given in this book differs from that given in any other history of the State, and is believed to be the most correct that has yet appeared. The chapters upon banks and education and upon internal improvements are as full as the purpose of the work would allow, and are satisfactory and accurate. The story of the Civil War is an excellent epitome, and is not offensive to any shade of opinion. If it be now and then apparent that the writers occupy the Southern point of view, that fact should not cause surprise nor provoke serious censure. In the matter of fair dealing with the controversial questions of politics, it is far above the average of fairness; indeed, it is not unfair at all, but only a frank expression of the convictions of the authors. We are glad to note that these Southern historians occupy so high a plane in this matter.

Writers of Tennessee history of late have been compelled to do much work of a kind that is best described as "antiquarian." They have had to search in musty records and ancient books for facts that should long ago have been put into historic form, and, therefore, they have shown a tendency to exaggerate details in the lines of their specialties, and their work has not exhibited a correct sense of proportion. This has also begotten a trivial corrective habit, and frequently it has been thought more important to expose a trifling error of date or an erroneous statement of kinship than to consider things of real importance. The work under consideration is, happily, free from this habit of antiquarian gossip, and is genuinely historical in spirit and method.

As a general history of the State, condensed, but not incomplete or inadequate, it is of the greatest merit. Nothing approaching it in usefulness has been published heretofore. It has in orderly arrangement all the material things that are to be found in the sympathetic, but confused, masses of Ramsey and Haywood; it has all that is in Phelan, better ordered and better told, and it rounds out the story so as to complete the view. It is not a sec-

ondary book, but goes back to the first sources of information. We do not believe that any State has a better school history, and this does not express its full value, for it is a good and serviceable book for general readers of any age and for students of the subject.

We venture to suggest that the shape of the volume is not good, especially for a book for general reading, and that in some instances the illustrations are hardly worthy of the text. As the book is worthy to become, and is likely to become, the standard general history of the State, we may reasonably hope for a republication, at least for general readers, in a different form and with a revision of illustrations—as, for instance, that of the escape of “Bonny Kate,” the “Battle of King’s Mountain,” and the “Battle of the Bluffs.” We concede readily that these do not at all detract from the value of the book or from its appearance as a school history; but so meritorious a book should have a form and illustrations, if the last be considered necessary, that will be satisfactory to readers of mature years.

The portraits are numerous and well executed; the arrangement is excellent and the index good; the footnotes are helpful and show scholarly work, and the bibliography is full and valuable. Upon the whole, we cordially and unreservedly commend the work.